



# REMARKS

UPON

## RECENT COMMERCIAL LEGISLATION;

SUGGESTED BY THE

EXPOSITORY STATEMENT OF THE REVENUE FROM CUSTOMS,  
AND OTHER PAPERS LATELY SUBMITTED  
TO PARLIAMENT.

BY

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LONDON:  
JOHN MURRAY, ALBEMARLE STREET.

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1845.



LONDON :

Printed by WILLIAM CLOWER and SONS,  
Stanford Street.

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## REMARKS,

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THE ‘ Expository Statement of the Customs’ Revenue ’ of the United Kingdom, which was presented to Parliament at the opening of the session by her Majesty’s command, has attracted considerable notice from the public : and a desire has been expressed in the House of Commons by one of its most distinguished members \* for something in the nature of a commentary upon that statement, which should bring clearly and definitely into view the leading results it may be found to establish. It is, indeed, obvious that a series of tables so complex and extended afford rather the crude materials of information to the general observer, than information itself.

On account of my official cognisance of those changes of the law in 1842, which led to the preparation of the document in question, I am led to make an attempt of the nature I have described. And upon the whole I have preferred making it through the medium of the press, rather than occupying so much of the time of the House of Commons, engrossed as it is by the mass of other business, as would be requisite for the purpose of an oral exposition essentially involving many figures and details.

With this introduction, I propose to traverse in succession the following departments of the subject :—

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\* Speech of Lord John Russell on motion for going into Committee of Ways and Means, Feb. 17, 1845.

- I. The proportion of our entire foreign trade which has been affected, in various degrees, by the reductions of the last three years.
- II. The amount of revenue directly surrendered by them.
- III. The actual results of the recent changes upon the revenue of the state and on our trade in various branches, so far as they are exhibited by the documents now before Parliament.
- IV. Their results upon domestic producers.
- V. The policy of these measures, with especial reference to the recent proceedings of Foreign Powers in matters of Trade.

My examination is suggested by the 'Expository Statement' and other kindred papers which have recently been laid before Parliament; but it will oblige me to enter into even the financial policy of the legislature and of the administration up to the present moment, so far as it is immediately connected with trade.

Again, it will turn, in the main at least, and directly, upon the course of our import trade. It is true, indeed, that Parliament has now sealed the doom of the very last of our duties upon exports: but this operation had long been within one step of entire accomplishment; and the amount of immediate relief remaining to be given by the final act during the present year was too small to produce a general effect of appreciable magnitude. I should rather plead that the value of the recent measures with regard to imports might be taken as the ultimate test of their value with reference to the exports with which those imports must be purchased; because, though we cannot in every particular case assume an immediate trade outwards when we create a trade inwards, yet it is manifest that upon the whole such is the law which must govern our commercial transactions.

I. As to the proportion of the trading operations of the country which the measures have embraced.

In the Account of trade and navigation,\* annually presented to Parliament at its meeting, I find the principal imports of the

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\* Paper No. 18, Sess. 1845.

country specified to the number of one hundred and thirty-three. Of these the duties have been reduced or removed upon one hundred and six ; upon twenty-nine they remain unaltered.

Again, if we take the official valuations of all imports into the United Kingdom for the year 1843 (the latest for which the accounts have been published), we find that they amounted to the sum of 70,093,000*l*.

The total values of all those articles (as nearly as I can compute them without minute detail) upon which no change has been made amounted to about 8,500,000*l*. of the entire sum ; and the values, which have shared in various degrees the relief afforded by the alterations, amount to about 61,600,000*l*.

It is well known that the criterion of official value is extremely fallacious in detail. It is, however, unfortunately, the only form in which, at the present moment, our imports are reduced to a common measure, and rendered capable of being treated as a whole. In several of the cases the standard fixed has now become, through change of circumstances, egregiously false. Thus cotton wool is valued at 7*d*. and 7½*d*. per lb., or nearly twice its average price ; fir timber at 15*s*. per load, or less than a third part of its average price ; and tea, again, at 2*s*. per lb., which is not much short of twice its average price. Still it does not appear to me that, when the scale of computation is so large, these errors, which very much neutralise one another, materially interfere with my object : and therefore the proposition holds good that of our whole import trade seven-eighths have been affected by the reductions of import duty which Parliament has adopted in the years 1812-5.

It is true that they have been affected in very various degrees. On raw silk, for instance, and hemp, both of them important articles, only the insensible duties of 1*d*. per lb. and 1*d*. per cwt. respectively were imposed by the previous law. But, speaking generally, the reductions and remissions have been far from inconsiderable. For instance, on the three great articles of sugar, timber, and corn, the diminution made, though it cannot be estimated with strict accuracy, may be said to amount nearly to one-half of the duties previously subsisting.

II. At the same time it is undeniable that whatever may be the extent of these measures in reference to trade, in reference to the whole amount of revenue which we raise from imported commodities, they have been secondary. Four articles, of the first class with respect to the amount of duty levied from them, have been left wholly untouched. They are the articles of

1. Tea, yielding in 1844 . . . . .	£4,524,000
2. Tobacco . . . . .	3,977,000
3. Wine . . . . .	1,991,000
4. Spirits . . . . .	2,211,000
	<hr/>
	£12,703,000

or more than half of the entire revenue derived from the customs.

With respect to this topic, it is enough to say that no considerable party in this country appears to contemplate any fundamental change in the system by which we supply a very large part of the wants of the Treasury through the medium of indirect taxation: and, so long as this is the case, any reductions of duty, which may be conceded from time to time, must always bear but a small proportion to the amount still continuing to be levied. But the four articles, which I have quoted as the most conspicuous and productive among those unaffected by the recent alterations, are none of them articles of the first rank in our trade. The aggregate values of the whole four, independent of duty, do not equal the value, taken singly, either of the cotton or of the sugar, or in most years of the grain, which we import.

There are only six other articles of any considerable importance to trade which remain, like the four above specified, subject to the same duties as those payable upon them before the Act of the 5 and 6 Vict. c. 47. They are these:—

1. Tallow, which in 1844 yielded . . .	£174,000
2. Butter . . . . .	136,000
3. Cheese . . . . .	117,000
4. Raisins . . . . .	159,000
5. Pepper . . . . .	81,000
6. Silk manufactures of Europe . . .	277,000

£994,000

If, then, we divide our imports according to the revenue they yield, the major part have remained untouched; but, estimated according to value, that is, according to their commercial importance, they are a small fraction of the whole with regard to which this can be asserted.

Let us now, accordingly, examine the extent of these changes in regard to revenue.

The reductions of 1842 were originally estimated as involving a loss of about 1,200,000*l.*, but during the progress of the measure of that year they were extended in a variety of particulars, and they ultimately reached not less than (without any allowance, except upon timber, for partial recovery through increased consumption) 1,550,000*l.*

The principal items were estimated at the time as follows :—

1. Raw Materials :—

Timber . . . . .	£600,000	
Tanning and dyeing stuffs . . . . .	110,000	
Hides and skins . . . . .	60,000	
Turpentine . . . . .	80,000	
Clover seed . . . . .	70,000	
Furniture woods . . . . .	50,000	
Other raw materials . . . . .	165,000	
	<hr/>	£1,135,000

2. Articles of consumption :—

Coffee . . . . .	£240,000	
Other articles of consumption and manufactures . . . . .	86,000	
	<hr/>	317,000

3. Exported manufactures . . . . . 100,000

Total . . . . .	1,552,000	
Subtract the coal-duty . . . . .	114,000	
	<hr/>	
There remains . . . . .	£1,438,000	



The mere view of these figures, indeed, gives no adequate representation of the changes made in 1842. Many of them which removed prohibitions, and lowered duties formerly prohibitory to a moderate standard, were important on account of the principle which they recognised even when their direct effects were small. Many of them which involved the greatest difficulty, and aroused the most serious alarm, have proved to be almost nugatory in their operation on the domestic interests that regarded them with so much apprehension. It may be said that there was no justification for creating such alarm, if, after all, no important consequences were to follow from the change. I will not interrupt this portion of the inquiry by any detailed examination of the objection. But, in the first place, it should be remembered, that the reduction of prohibitory duty may give the very stimulus to domestic trade which may cause the foreign article to be excluded by being undersold. Secondly, it affords a security for good and economical manufacture which otherwise would not exist. Thirdly, each case of the kind renders the course of British legislation with respect to commerce more and more definite and intelligible to the rest of the world.

In 1843 there were no remissions of duty. In 1844 the duties of customs remitted were as follow:—

1. Sheep and lamb's-wool . . . . .	£100,000
2. Currants (7s. 2d. per cwt. on 254,000 cwts.)	91,000
3. Coffee (2d. per lb. on 9,854,000 lbs.) . . . .	82,000
	£273,000

Of the duties of customs comprehended in the remissions of the present year, the first and greatest, namely, that on sugar, was estimated by Sir Robert Peel in his financial statement on the 14th of February, as involving a loss of 1,300,000*l*.

With the present prospects of supply from British sources, and of the working of the proposed classification of sugars, I should prefer charging the reduction upon sugar, combined with that on molasses, at 1,500,000*l*. A large sum without doubt: but in order to estimate rightly the equivalent received by the consumer,

we must take into view the reduction of price effected by the measure of last year, of which the bill now in Parliament is avowedly the complement: this cannot be estimated at less than 4s. per cwt. To this we have now to add a reduction amounting to 11s. 3d. per cwt. The diminution, therefore, in the long or wholesale price amounts to 15s. 3d. per cwt.; and to this is to be added relief from the subsequent charges for interest of money and profit on that portion of the price. If these are taken at 1s. 1d. per cwt., which I think a moderate computation, the total saving to the consumer from this financial operation will be about 1 $\frac{3}{4}$ d. per lb., or 16s. 4d. per cwt. Applying this to the quantity of 205,000 tons, which formed the consumption of the year 1844, we find the saving to the public will amount to no less than 3,348,000*l.*, which is purchased at a cost to the revenue of only 1,500,000*l.*, or less than one moiety of the benefit. We ought not, I admit, to set down among the sacrifices of the Exchequer anything more than it actually loses by the direct deduction of 11s. 3d. per cwt. from the tax. Thus computed, however, the amount still reaches to 2,306,000*l.*, while the loss to the revenue will probably be so far retrieved by an increase of consumption as to keep it down to 1,500,000*l.*, or about two-thirds of that sum. This calculation does not indeed pretend to minute accuracy; on the one hand it does not include any deduction on account of sugars to be charged at 16s. 4d. instead of 14s.; nor, on the other, any addition on account of the diminution of duty on molasses: but it seems to point out fairly the aggregate result.

The amount of taxation upon foreign trade remitted by the measures of the present year, as distinct from the balance of loss likely to be entailed upon the Treasury, may be stated as follows:—

1. Sugar . . . . .	£2,306,000
2. Cotton . . . . .	680,000
3. Duties on other materials of industry and partially manufactured articles . . . . .	320,000
4. Duty on coals, and minor export duties . . . . .	125,000
	<hr/>
	£3,431,000

We have therefore the whole amount of direct receipt surrendered by Parliament during the last three years as follows:—

In 1842 . . . .	£1,438,000
In 1844 . . . .	273,000
In 1845 . . . .	3,431,000
Total . . . .	£5,142,000

It appears, then, to be very worthy of note, that without taking into account the indirect benefit which has accrued from the extension of trade, or from the diminution of protective duties, the country has already received the reward of its submission to the income-tax in the removal, upon Customs duties alone, of an amount of taxation about as large as the sum which is yielded by that highly productive impost. The last year's return of the income-tax was 5,191,000*l.* This, however, does not present the whole case. In the Budget of 1842, on the one hand, a deficiency was calculated for the year 1842-3, amounting to 2,570,000*l.*, and so much of the income-tax as would absorb this deficiency was accordingly forestalled. On the other hand, duties other than those of customs, but in general connected with trade in other forms, have been repealed (or are now proposed for repeal), as follows:—

In 1842, on stage-coaches . .	£70,000
In 1844, on glass . . . .	45,000
on vinegar . . . .	25,000
on marine insurances . .	130,000
In 1845, on glass . . . .	642,000
on auctions . . . .	250,000
	£1,162,000
Add customs'-duties repealed . .	5,142,000
Total . . . .	£6,304,000

If then we assume, as we reasonably may, that the service of the present year is adequately provided for, and the revenue will balance the expenditure, it appears that the free surplus of the

income-tax, over and above what was required to supply actual deficiency, or 2,621,000*l.*, has been most economically laid out, as the saving in other taxes realised by means of it has been 6,304,000*l.*, or more than double its amount. The question may be raised how far this is owing to the course of legislation, and how far to the buoyancy of the national industry: this, being well content with either cause, I am not curious to discuss; in *some* proportion it must evidently be divided between them.

III. Having thus measured, in its most general form, the bearing of the recent legislation on the revenue of the country, I now proceed to examine in some degree of detail the effects produced by the changes adopted in 1842 upon the revenue, and also upon our general trade with foreign parts. I propose first to consider these effects as they affect the various great Classes of commodities, distinguished by successive letters of the alphabet, into which the 'Expository Statement' is divided: and subsequently to take into view singly the cases of such particular articles as may appear on any ground to demand a separate notice.

I must then, in the first place, beg the particular attention of the reader to the abstract which has been prefixed to the 'Expository Statement,' and which I here introduce for the greater facility of inspection; premising, that the eight schedules into which each class of articles is divided, have reference to the amount of revenue produced, upon a mean of two years, by the respective articles under the operation of the Act 5 and 6 Vict., c. 47, according to the following scale:—

Schedule I. Contains all articles yielding less than £100 each annually.

- „ II. From £100 to £500 each.
- „ III. From £500 to £1000 each.
- „ IV. From £1000 to £10,000 each.
- „ V. From £10,000 to £50,000 each.
- „ VI. From £50,000 to £100,000 each.
- „ VII. Upwards of £100,000 each.
- „ VIII. Articles free or prohibited.

Expository Statement, showing the Net Annual Produce of the DUTIES of CUSTOMS on all ARTICLES imported into the United Kingdom, in two Years preceding and in two Years following the establishment of the New Tariff (5 & 6 Vict. cap. 47).

A.		B.		C.		D.		E.		TOTAL.			
Articles in a raw state to be used in Manufactures.*		Articles partially Manufactured		Articles wholly Manufactured.		Articles of Food†		Articles not properly belonging to any of the foregoing Heads.					
Mean Annual Produce of Duties.		Mean Annual Produce of Duties.		Mean Annual Produce of Duties.		Mean Annual Produce of Duties.		Mean Annual Produce of Duties.					
In two Years before the establishment of the New Tariff.	In two Years after the establishment of the New Tariff.	Number of Articles.	£.	£.	£.	In two Years before the establishment of the New Tariff.	In two Years after the establishment of the New Tariff.	Number of Articles.	£.	£.	In two Years before the establishment of the New Tariff.	In two Years after the establishment of the New Tariff.	
9,817	2,517	54	887	656	113	3,393	2,607	46	990	1,135	91	3,950	1,702
36,665	11,279	19	6,536	5,043	31	10,205	7,620	15	4,148	3,988	27	14,415	6,531
24,542	11,213	5	6,712	3,571	17	23,260	13,030	6	3,546	4,444	6	10,972	4,000
22,881	78,373	11	40,835	32,814	27	85,767	92,673	28	71,803	78,119	15	49,432	35,213
45,187	110,334	5	179,357	95,635	5	117,049	114,034	7	120,169	136,773	2	145,229	51,744
48,165	137,659	..	..	..	..	..	..	3	240,841	237,944	..	..	..
07,627	1,043,466	1	816,902	513,769	1	230,593	246,111	12	18,246,120	19,614,116	..	..	..
196	..	..	..	..	2	..	..	4	..	..	8	..	..
95,080	1,414,841	95	1,051,229	651,488	196	479,570	475,525	121	18,687,617	20,076,842	149	223,998	102,190
											813	22,637,491	22,720,886

Limits of this Class have been so far extended as to include some Articles which, though not strictly in a raw state, have undergone only a slight degree of preparation, this Class have been thrown, not only those Articles which contribute immediately to Human Subsistence, but also some which are used chiefly or entirely as the food of cattle: and others, Wine, and Tobacco, which properly belong to the class of condiments or stimulants.

cember, 1844.

I have already described the reductions of customs' duty made in 1842 as removing direct charges upon trade to the extent of 1,552,000*l.*; and I have divided those reductions, after withdrawing the sum of 100,000*l.* for the repeal of duties upon exports, into two branches according as they fell

- (1) Upon the raw materials of industry;
- (2) Upon articles of consumption imported into this country;

The amount of reductions under the first head was    £1,135,000

The amount under the second                                    317,000

Making together                    £1,452,000

Upon advertng to the five classes A, B, C, D, E, in the 'Expository Statement,' we shall perceive that classes A, B, and E contain the articles which may generally, though not with minute accuracy, be denominated the raw materials of industry, and which received remissions to the amount of 1,126,000*l.*, while classes C and D contain the two great divisions of articles prepared for consumption, viz., manufactured goods and articles of food, upon which; taken together, the remissions amounted to 326,000*l.* I shall therefore consider the three first together, and the two last together, as the most just and comprehensive mode of estimating the effect of the reductions.

But I have to make another and a material change in the arrangement of this Abstract. It purports to compare the mean receipts of two years antecedent to the law of 1842 (1838 and 1840) with those of the two years immediately subsequent to it. But instead of taking the mean products of these two latter years, I propose to take each year separately. There are several reasons for doing this. In the first place, for nearly four months of the earlier half of the year 1842 the new tariff had been announced, and its details were undergoing consideration. Deliveries of the articles affected by it were accordingly in a great degree suspended until the bill had become law in the commencement of July: and immediately afterwards unusually large quantities of goods were released, so that the first year shows in many cases rather more than is its due. No such objection applies to the second year, and it therefore affords a more just criterion of the working of the law.

But, besides this, the intention of Sir Robert Peel was declared to be, to reimburse the Exchequer for the remissions which he proposed—first, by their general effect upon trade and consumption—and, secondly, by augmenting the demand for the particular articles which were affected. Now, all recovery of this kind is of necessity gradual: and it is even more important, therefore, to ascertain what relation the second year of the new law bears to the first, than to know the relation which the two jointly bear to the period which preceded the alteration. And particularly we must observe that the presumptions in favour of the change are strengthened, if the second year shall be found to bear a favourable comparison with the first, on account of the factitious aid which, as has been explained, the first of necessity derived from the immediately preceding stagnation, pending the discussions on the measure. On every ground then it is desirable to distinguish the two years which are averaged in the Abstract now before Parliament.

I take first Class A, which contains, in general, articles the most strictly corresponding with the definition of raw materials.

Class A. Articles in a raw state to be used in Manufactures.	Number of Articles.	Mean Annual Produce of Duties in Two Years preceding the establishment of the New Tariff.	Produce of the Duties from July 5, 1842, to July 5, 1843.	Produce of the Duties from July 5, 1843, to July 5, 1844.
Schedule I., containing articles that yield, under the new law, less than 100 <i>l.</i> each of customs' duty . .	144	£. 9,817	£. 2,488	£. 2,443
II. (100 <i>l.</i> to 500 <i>l.</i> ) . .	45	36,665	10,477	12,081
III. (500 <i>l.</i> to 1000 <i>l.</i> ) . .	16	24,542	11,227	11,199
IV. (1,000 <i>l.</i> to 10,000 <i>l.</i> ) . .	28	322,881	83,845	72,902
V. (10,000 <i>l.</i> to 50,000 <i>l.</i> ) . .	6	145,187	86,537	131,131
VI. (50,000 <i>l.</i> to 100,000 <i>l.</i> ) . .	2	148,165	141,353	173,966
VII. (upwards of 100,000 <i>l.</i> ) . .	3	1,507,627	1,032,403	1,054,530
VIII. (Free or prohibited under the new law) }	8	196		
	252	2,195,080	1,368,330	1,461,252

Now of the 252 articles comprised in this class, I find that there have been duties reduced or removed by the law of 1842 (and in a few cases, which it is not worth while to distinguish, by subsequent acts) upon 215, viz. in

Schedule I. on	128	Schedule V. on	4
„ II.	38	„ VI.	1
„ III.	13	„ VII.	1
„ IV.	25	„ VIII.	5
		Total	215

The entire receipt from these 252 articles was as follows :—

Mean of two years before the new law	£2,195,080
First year of the new law . . . . .	1,368,330
	<hr/>
Showing a loss of	£826,750

But again :—

Mean of two years before the new law	£2,195,080
Second year of the new law . . . .	1,461,252
	<hr/>
Showing a loss of	£733,828
Gain of the second year on the first . .	£82,922

This, I think, should be deemed not unsatisfactory as an advance, in proportion to the time, towards the recovery of the revenue.

Let us now proceed to Class B.

Class B. Articles partially Manufactured.	Number of Articles.	Mean Annual Produce of Duties in Two Years preceding the establishment of the New Tariff.	Produce of Duties from July 5, 1842, to July 5, 1843.	Produce of Duties from July 5, 1843, to July 5, 1844.
Schedule I.	51	£. 887	£. 673	£. 637
II.	19	6,536	4,254	5,832
III.	5	6,712	4,000	3,143
IV.	11	40,835	21,516	44,113
V.	5	179,357	93,231	98,039
VI.	..	..	..	..
VII.	1	816,902	397,470	630,069
VIII.	..	..	..	..
	95	1,051,229	521,144	781,833



Of the 95 articles comprised in this Class, there have been reduced 89 ; viz. in

Schedule I. . .	50	Schedule V. . .	5
„ II. . .	17	„ VI. . .	0
„ III. . .	5	„ VII. . .	1
„ IV. . .	11	„ VIII. . .	0
		Total . .	89

The entire receipt from this class was as follows :—

Mean of two years before the 5 and 6 Vict. c. 47 .	£1,051,229
First year after the Act . . . . .	521,144

Showing a loss of . . . . . £530,085

But again—

Mean of two years before the Act . . . . .	£1,051,229
Second year after the Act . . . . .	781,833

Showing a loss of . . . . . £269,396

And a gain of the second year on the first year,

Amounting to . . . . . £260,689

which is an advance much beyond the measure of all ordinary expectation.

The articles in the analogous class E are of less moment : but the exhibition of them is necessary to complete this part of the subject.

Class E. Articles not properly belonging to any of the foregoing heads.	Number of Articles.	Mean Annual Produce of Duties in Two Years preceding the establishment of the New Tariff.	Produce of the Duties from July 5, 1842, to July 5, 1843.	Produce of the Duties from July 5, 1843, to July 5, 1844.
		£.	£.	£.
Schedule I.	91	3,950	1,927	1,476
II.	27	14,415	6,462	6,601
III.	6	10,972	4,310	3,690
IV.	15	49,432	33,593	36,833
V.	2	145,229	52,204	57,284
VI.	..	..	..	..
VII.	..	..	..	..
VIII.	8	..	..	..
	149	223,998	98,496	105,884

Of the 145 articles comprised in this Class, there have been reduced 121; viz. in

Schedule I. . . .	79	Schedule V. . . .	2
„ II. . . .	22	„ VI. . . .	0
„ III. . . .	5	„ VII. . . .	0
„ IV. . . .	13	„ VIII. . . .	0
		Total . . .	121

The entire receipt has been as follows:—

Mean of two years before the Act . . . .	£223,998
First year after the Act . . . . .	98,496
Showing a loss of . . . . .	£125,502

Again—

Mean of two years before the Act . . . .	£223,998
Second year under the Act . . . . .	105,884
Showing a loss of . . . . .	£118,114

And a gain of the second year on the first—

Amounting to . . . . .	£7,388
------------------------	--------

Let us now bring together these results.

Mean receipt on Class A before the Act . . . .	£2,195,080
„ „ on Class B „ . . . .	1,051,229
„ „ on Class E „ . . . .	223,998
	£3,470,207

Receipt of the first year after the Act—

On Class A . . . . .	£1,368,330
On Class B . . . . .	521,144
On Class E . . . . .	98,496
	£1,987,970

Receipt of the second year after the Act—

On Class A . . . . .	£1,461,252
On Class B . . . . .	781,833
On Class E . . . . .	105,884
	£2,348,969

Loss on the three Classes for the first year . . . .	£1,482,237
„ „ for the second . . . . .	1,121,238

Gain on the second as compared with the first . . . .	£360,999
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There are, however, some corrections which it is necessary to make in these figures.

1. The mean receipt of the two years before the Act of 5 and 6 Vict. should be charged with the drawback which was allowed on timber used in the mines under the provisions of the former law, amounting to about 60,000*l.* *per annum*.

2. The year from July 1843 to July 1844, should be credited with not less than 20,000*l.* on account of the abstraction of the duty on wool, which, under a new Act of the Legislature, actually took effect before it had expired, and had been announced, and must therefore have operated on deliveries from a considerably earlier period.

By these changes we reduce

The loss on the first year to . . . .	£1,422,237
The loss on the second year to . . . .	1,061,238

And the recovery of revenue

On the second year as compared with the first rises	
to . . . . .	£380,999

It appears to me that this general comparison of the second year with the first, under the new law, as to materials, is eminently satisfactory, and must encourage those who take a sanguine view of the energies of our productive industry.

The picture is less flattering when we compare the first year under the new law with the mean product of the two years of the old law. The reductions of 1842 on raw materials amounted, as has been already stated, to . . . . . £1,135,000

But the ensuing defalcation of revenue on that

description of commodities amounted to . . . .	1,422,237
Showing an excess of loss above the estimate of . . . .	307,237

It will, however, be recollected that the twelve months from July 1842 to July 1843, were a period of extraordinary depression and distress to the trade of the country. The last six of them, or perhaps rather the last three, exhibited marks of par-

tial revival, which were aided both by the changes of the law and the reduced cost of subsistence. Still for the greater part of the time business had been contracted, and enterprise languid, in a degree quite sufficient to account for the excess of loss which has just been noted. In the second year this excess was retrieved, and the process of recovery had commenced, for whereas the reductions amounted to . . . . £1,135,000

The loss in the second year was . . . . 1,061,000

Or, as 20,000*l.* may be set down to the account

of the further measure regarding wool in 1844,

the real loss in the second year was . . . 1,041,000

Up to this point, I have adverted only to that portion of the operation of 1842, which regarded materials intended for employment in our domestic industry. Even this involved, indeed, many points of conflict with protected interests: such as those relating to copper ore and other ores and metals, to hides and leather, to seeds, and to timber. Still its main bearing was in most particulars on the revenue of the country.

The other division of the remissions, which included only 317,000*l.* of revenue, involved in almost every case a diminution of protective duty. Before the Act of 1842, the general character of our Tariff with regard to manufactures, and in a great degree with regard to food, was prohibitory. But it may be said with truth, that from the moment when the provisions of that Act had taken effect, moderate duties of twenty per cent. and less were the rule of the Tariff of the United Kingdom, and high or prohibitory rates the exception.

This was indeed the most prominent and essential characteristic of the measure, so far as it affected the classes now under consideration. Out of 196 articles contained in Class C, 181 underwent reduction: yet I do not find that the remission of duties actually levied upon goods in it under the former law, could be estimated at more than 35,000*l.*, or at the most 40,000*l.*

Class C. Articles wholly Manufactured.	Number of Articles.	Mean Annual Produce of Duties in Two Years preceding the establishment of the New Tariff.	Produce of the Duties from July 5, 1842, to July 5, 1843.	Produce of the Duties from July 5, 1843, to July 5, 1844.
		£.	£.	£.
Schedule I.	113	3,393	2,171	1,842
II.	31	10,208	7,248	7,992
III.	17	23,260	13,329	12,731
IV.	27	85,767	86,284	99,063
V.	5	117,049	105,148	123,020
VI.	..	..	..	..
VII.	1	239,893	223,457	268,766
VIII.	2	..	..	..
	196	479,570	437,637	513,414

The articles in Class C on which duty was reduced were, in

Schedule I. . . . .	108	Schedule V. . . . .	4
„ II. . . . .	29	„ VI. . . . .	0
„ III. . . . .	16	„ VII. . . . .	1
„ IV. . . . .	23	„ VIII. . . . .	0
		Total . . . . .	181

Here we find the

Mean produce before the Act . . . . .	£479,570
First year under the Act . . . . .	437,637
Loss . . . . .	£41,933

But for the second year the account stands as follows:—

Mean produce before the Act . . . . .	£479,570
Second year under the Act . . . . .	513,414
Increase . . . . .	£33,844
Gain upon the second year as compared with the first . . . . .	£75,777

But this result again requires correction. More than half of the revenue under Class C arises from silk goods, which, with their various divisions, stand under a single heading in the Tariff. They were not, however, altered by the law of 1842, except with regard to the silks of the East Indies. Let us therefore deduct from all these years the revenue on silks other than those of India; and the figures will stand as follows:—

Mean produce of two years before the Act . . .	£252,351
• First year under the Act . . . . .	217,091

Loss . £34,260

And again—

Mean produce of two years before the Act . . .	£252,351
Second year under the Act . . . . .	248,855

Loss . £3,496

Gain upon the second year as compared with the first £37,756

Thus then it appears that, within the second year from the passing of the Act, the remissions of duty on manufactured goods were as nearly as possible replaced by the increased importations of them: a result worthy of remark in itself, but yet, as I think, less remarkable than another inference which arises from the inspection of this part of the Statement, and which I shall notice in another portion of these remarks.

We now come to Class D, containing articles of food, upon which the great mass of our customs' revenue has for a long time been levied. Seven-eighths of the whole receipt stand, as will be seen, to the account of this Class.

Class D. Articles of Food.	Number of Articles.	Mean Annual Produce of Duties in Two Years preceding the establishment of the New Tariff.	Produce of the Duties from July 5, 1842, to July 5, 1843.	Produce of the Duties from July 5, 1843, to July 5, 1844.
Schedule I.	46	£. 990	£. 1,241	£. 1,074
II.	15	4,148	3,351	4,625
III.	6	3,546	4,311	4,577
IV.	28	71,803	80,451	76,388
V.	7	120,169	131,427	142,120
VI.	3	240,841	221,395	254,494
Totals of Schedules I.—VI. }	..	441,497	442,176	483,278
Sched. VII.	12	18,246,120	19,161,312	20,066,920
VIII.	4	..	..	..
	121	18,687,617	19,603,488	20,550,198

Of the 121 articles comprised in this Class, prohibitions were removed, or duties lowered, on 66, as follows :—

Schedule I. . . .	30	Schedule V. . . .	5
„ II. . . .	9	„ VI. . . .	0
„ III. . . .	5	„ VII. . . .	2
„ IV. . . .	15	„ VIII. . . .	0
		Total . . . .	66

On this class we find the

Mean produce before the Act . . . .	£18,687,617
First year under the Act . . . .	19,603,488
Increase . . . .	£916,871

And again—

Mean produce before the Act . . . .	£18,687,617
Second year under the Act . . . .	20,550,198
Increase . . . .	1,862,581
Gain on the second year as compared with the first . . . .	£962,710

These figures, however, may much more justly be taken as an index of the general prosperity of the country, than of the working of the Customs' Act of 1842. I have already named four great articles\* upon which no reduction has taken place up to the present time, yielding twelve millions of money, besides others not inconsiderable: nor was there any change in the law relating to sugar, which yields five millions more, until the year 1844: nor has there been yet time for the change then made to produce any appreciable effects upon the revenue, as the supplies of the foreign article are only beginning to arrive. About seventeen millions, therefore, of the whole amount of duties have been practically unaffected by alterations in the law. It may indeed be true, that those alterations have tended powerfully, by their general effects upon trade, and therefore on consumption, to increase the receipts of the treasury from these great articles, and may thus claim the credit of a part of the excess which has been shown. But we may carry the investigation of the effects of the Act to a greater degree of precision by ejecting from the account

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\* *Supra*, p. 8.

all the great articles in Schedule VII., upon which either no change has been made, or no change of which the effects are perceptible within the period embraced by the 'Expository Statement.' Now coffee is the only article comprised in Schedule VII. of Class D, on which the duty was materially altered by the Act 5 and 6 Vict. c. 47. The duties on foreign corn had, however, already been regulated by a previous Act of the same year, and may therefore be taken into account. The total amount of the duties on these two articles was as follows:—

Their mean produce in two years before the Act . . . . .	£1,475,027
First year under the Act . . . . .	2,053,748
Second year under the Act . . . . .	1,710,132

It is difficult to carry the examination of these items farther; because as to corn no safe inference can be drawn from a single year, though the experience of the last three years, which have elapsed since the present Act commenced, may be thought to demonstrate that it at least effected a very beneficial change as regarded the revenue: while, as to coffee, the result is obscured by a farther change in the duty which took effect before the second year had expired; and I propose therefore to examine that case more minutely by itself.

But if further we remove Schedule VI., in which no alteration of any moment was made in 1842, from the comparison, so as to confine our view yet more closely to results brought about by the immediate operation of the change in the law, it stands as follows:—

Mean produce of two years before the Act . . . . .	£200,656
First year under the Act . . . . .	220,781
	<hr/>
Increase . . . . .	£20,125

And again—

Mean produce of two years before the Act . . . . .	£200,656
Second year under the Act . . . . .	228,784
	<hr/>
Increase . . . . .	£28,128
Gain upon the second year as compared with the first	£8,003



Again, if we combine Classes C and D, both of which may be said to contain articles of consumption as contradistinguished from raw materials, we have the following results:—

Mean produce of Class C and of Class D, with ex-	
ceptions as above specified, before the Act	£453,007
Joint produce of first year under the Act	437,872
	<hr/>
Loss	£15,135

And further—

Mean produce as before	£453,007
Joint produce of second year under the Act	477,639
	<hr/>
Gain	£24,632
Gain on the second year as compared with the first	£39,767

Now the revenue remitted on these several descriptions of articles amounted to about 90,000*l.* a-year in round numbers; of which the whole was replaced in the first year, except 15,135*l.*, and was replaced in the second year with an addition of 24,632*l.*

The fiscal scale of this part of the operation was, it is true, contracted, but it was of great importance, and of great difficulty, in other points of view; and the result thus shown affords, as respects the treasury at least, an ample vindication of the wisdom of Parliament in the adoption of this part of the measure.

To conclude this portion of the subject, let us combine the two divisions in which we have thus far been considering it: but in order that the view given of the reductions effected by the new Tariff of 1842 upon imports, may be a complete one, I must include (though with some undue advantage to the first year and prejudice to the second) the receipts from coffee.

The reductions, with the exception of 100,000*l.* on exports, were—

On materials	£1,135,000
On articles of consumption (Classes C, D, corrected as above)	317,000
	<hr/>
Total of reductions	£1,452,000

The effect upon the revenue is shown in the following figures:—

## I. Receipts of the first year.

## 1. Mean of two years before the 5 and 6 Vict. c. 47.

Class A . . . . .	£2,195,080
Deduct for timber drawback .	60,000
	£2,135,080
Class B . . . . .	1,051,229
Class E . . . . .	223,998
	£3,410,207
Class C . . . . .	252,351
Class D, including coffee .	1,003,972
Total	£4,666,550

## 2. First year under the Act:

Class A . . . . .	£1,368,330
Class B . . . . .	521,144
Class E . . . . .	98,496
	£1,987,970
Class C . . . . .	217,091
Class D, including coffee .	1,002,503
Total	£3,207,564

Actual loss for the first year on all the Classes together . . . . .	£1,458,986
Estimated amount of reductions as above .	1,452,000

Thus the total loss on the five Classes exceeded the estimate by the sum of about . £6,986

## II. Receipts of the second year.

1. Mean revenue of two years before the 5 and 6 Vict. c. 47, as above . . . . £4,666,550

2. Second year under the Act, Class A . . . £1,461,252

Add on account of loss from the repeal of the Wool Duties in 1844 . . . 20,000

Total £1,481,252

Brought forward . . .	£1,481,252	£4,666,550
Class B . . . .	781,833	
Class E . . . .	105,884	
	<hr/>	
	£2,368,969	
Class C . . . .	248,855	
Class D, without		
coffee . . . .	£228,784	} 915,462
Coffee . . . .	686,678	
	<hr/>	
		£3,533,286

Actual loss on the second year . . . .	£1,133,264
Gain on the second year as compared with the first, on all the Schedules affected by the re- ductions of 1842, and on coffee . . . .	£325,722

From this view of the tables, first in the several classes into which they are divided, and secondly as a whole, I now pass to consider the general outline of the Act of 1842, and to estimate rudely its effect upon the import trade of the country.

The Act of that year was not merely an Act involving a considerable remission of duties: it was the first attempt to apply general rules to the construction of the tariff of the United Kingdom, and was also the most comprehensive modification of the restrictive system which had ever been accomplished.

Mr. Pitt, in 1787, found our customs' law a mass of intricacy and confusion. He stated to Parliament the object of his great reform. 'The mode in which he proposed to remedy this great abuse was by abolishing all the duties which now subsisted in this confused and complex manner, and to substitute in their stead one single duty on each article, amounting, as nearly as possible, to the aggregate of all the various subsidies already paid.\* Also 'in some few articles,' for example timber, he meant to introduce 'regulations of much greater extent;' but such was the *general* scope of his arrangement.

During the war, and during the first years of peace, many augmentations of duty took place: some for purposes of revenue,

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\* Parliamentary History, xxvi., 629.

but with the effect of enhancing the stringency of protection ; some for protective purposes alone.

The tariff underwent a general revision in 1819 by the Act 59 Geo. III. c. 52 ; and again, under the government of Lord Grey (which had failed in 1831 to carry a plan for the reduction of the timber duties), a large number of minor duties were reduced in the years 1832 and 1833 ; but it was in the interval between these two periods that the most important relaxations of the prohibitory and protective system were introduced into the law, first by Mr. Wallace, and afterwards and principally by Mr. Huskisson. Still it continued to contain some prohibitions, and a very great number of prohibitory rates of duty ; and no approximation to unity of principle was discernible in its structure as a whole.

In 1842 it was attempted to make a general approach to the following rules :—

1. The removal of prohibitions.
2. The reduction of duties on manufactured articles, and of protective duties generally, to an average of 20 per cent. *ad valorem*.
3. On partially manufactured articles to rates not exceeding 10 per cent.
4. On raw materials to rates not exceeding 5 per cent.

The duties were then reduced on about 660 articles. Many changes were made which were of great importance to the consumer or to some branch of trade, but which cost little to the revenue, or were even, in some cases, positively profitable. I allude particularly to the changes affecting cattle, salt meat, seeds, oils, manures, leather, and ores, as belonging to these two classes.

It is very difficult to form any general estimate of the effect of the measure of 1842 upon the import trade of the country, which shall even approach to precision. Still I think a rude view of this important subject may be presented by means of the tables of official valuations, which reduce the quantities of articles im-

ported to a common measure. We have these valuations printed for the years 1841, 1842, 1843.\* I reject 1842, which was almost equally divided between the old law and the new; and I take 1841 as the latest full year of the old law, and 1843 as the first full year of the new one.

The official values of imports into the United Kingdom were—

For the year 1841 . . . .	£64,377,952
„ 1843 . . . .	70,093,353
Increase . . . .	£5,715,401

But there are two articles of importance which it may be better to exclude from this comparison—cotton and corn—inasmuch as the quantities of them which we receive in one year as compared with another depend much more upon the respective crops of those products in America and England than upon any increased facilities in the means of exchange. The official values imported in 1841 were—

Of cotton . . . . .	£15,948,384
Of corn . . . . .	5,238,389 .
	£21,186,773

And in 1843—

Of cotton . . . . .	£22,282,365
Of corn . . . . .	2,048,768
	£24,331,133

Deducting these amounts from the respective totals, we have the official values of imports—

For the year 1841 . . . .	£43,191,139
„ 1843 . . . .	45,762,220
Increase . . . .	£2,571,081

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\* Finance Accounts, Paper No. 147, of 1844, pp. 131-36.

This is a rude, but I do not think by any means an excessive, statement of the increase of general trade which had been realized in 1843, and of which a considerable part may be considered due to the alterations of the law. It is likely that the returns for 1844 may bear a stronger testimony to its influence.

I will now proceed to examine the two most conspicuous among all the reductions of duty on particular articles which were enacted in 1842, namely, the cases of timber and coffee; and first, that of timber.

This is a most important subject: and the error of the government and of parliament, which adopted, without division, the most essential parts of the proposal, was, if an error at all, a very great one.

It is a subject to try the faith of political economists. Some of them there are, who have shrunk from the sacrifice of a great amount of revenue, which they think might have been spared: and have consistently denounced the plan of 1842 as a waste of public money, while they have been friendly to its principle so far as it involved diminution of the differential duty between colonial and foreign wood.

Upon the other hand, there is much to urge, besides the claim of the colony of Canada, as a colony then recently recovered from two rebellions, and the claim of the subsisting interests in the trade to be as gently handled as a regard to public objects would allow.

First, it is very doubtful whether the revenue, such as it stood in the years immediately preceding 1842, could have been entirely preserved. I do not advert now to the distress of the particular period; but to the permanent operation of the old scale of duties. The premium on colonial timber was so enormous, that it was gradually tending to reduce the proportion of Baltic wood brought into the market. And likewise the article of iron was displacing wood in various important branches of its consumption,

Secondly, it must never be forgotten that the scale of duties upon timber was *doubly* differential. The duty of 55s. per load was, so far as regarded 45s. of its amount, a differential duty against foreign and in favour of colonial wood. But the whole duty both of 55s. on foreign and of 10s. on colonial wood, was a

differential impost in favour of British-grown wood and against the growths both of our colonies and of foreign countries.

In the year 1841, the then existing administration proposed to reduce the foreign duty by an almost insensible amount, namely, from 55s. to 50s. ; and to raise the colonial duty from 10s. to 20s. This plan would have reduced the protection of the colonist against the foreigner from 45s. per load to 30s. per load ; but also it would have increased that of the home-grower of wood against the colonist by 10s. per load, and would have reduced it against the foreigner by only 5s. per load. It would have borne hardly upon the intermediate party, the colonist, who was thus smitten on both sides : it would have added, I believe, nothing whatever at the moment, and subsequently very little, to the revenue : 5s. per load would have been the maximum of possible relief to the consumer. Further, with this plan it would scarcely have been possible either to have abolished the drawback allowed to the Cornish miners, which appears to have cost the country 60,000*l.* per annum, or to have introduced the measurement of sawn wood according to cubic contents, which really means taking wood according to the dimensions to which Providence ordains that it shall grow, instead of regulating those dimensions by the schedules of a Customs' Act.

The plan actually adopted, on the other hand, which imposed a duty of 1s. per load on colonial and 25s. per load on foreign timber, involved a loss of 600,000*l.* per annum : and although it was in one view much more favourable to the colonist, since it placed him nearly upon an equality with the British grower of timber in our ports, yet as against the foreigner it left him only a protection of 24s. instead of 30s. The British grower, again, who, in the case of an article so essential and of such heavy cost of transport will find in general briskness of trade by much his most effective safeguard, lost 30s. per load of his defence against foreign wood and nearly the whole of his preference over his colonial fellow-subjects. But the gain to the consumer, which, if there be truth in political economy, could not exceed 5s. per load under the plan of 1841, by the plan of 1842 might reach, and on the whole, I apprehend, has already nearly reached, 30s. per load.

There was one argument for a large revenue from timber, the argument of possession. It was no mere speculation: we had it in hard money, a million and a half annually. But I know no other apology for such a mode of taxation under ordinary circumstances. It may be by one degree less impolitic than the imposition of a heavy duty without drawback upon the raw material of some manufacture which we export largely: but I know no argument that can be offered in its defence, which would not vindicate *à fortiori* such taxes as a heavy duty of excise upon coals, upon iron, or upon manures. If there be but one of the mazy paths of fiscal legislation which we may tread fearlessly and firmly, surely it is that in which we reduce the burdens upon such raw materials of industry as are of great bulk in proportion to their value, and as stand in the first order of necessity.

Passing, however, from the general discussion, I have now to inquire into the operation of the measure. As regards the dealings in the article, with the exception of some local inconveniences, which, as might be expected, accompanied the grèat alteration that was made in the mode of charging the duty, I gather from the reports of eminent houses in the trade, and from the figures indicating the consumption, that it has been eminently satisfactory. As regards revenue, I shall endeavour to show that we have reason to be well contented with its effects.

Sir Robert Peel, in his financial statement for the year 1842, estimated his first year's loss at 600,000*l.*: and the second year's at 590,000*l.*

I subjoin a statement of the gross and net quarterly revenue from timber during three years before the new system took effect, and also during two years after it.



(I.)—An Account of the RECEIPTS from TIMBER in each Quarter of Three Years antecedent to 10th October, 1812: also, REPAYMENTS for Drawbacks, and NET RECEIPT remaining in each of those Quarters.

(II.)—A similar Account for each Quarter from 10th October, 1812, to 10th October, 1844.

QUARTERS ended		Duties on Wood and Timber in the United Kingdom.		
		Gross Receipt.	Drawbacks and Repayments.	Net Produce.
		£.	£.	£.
I.—	5th January, 1810	382,542	33,258	349,284
	5th April, „	263,681	12,046	251,635
	5th July, „	416,269	29,806	386,463
	10th October, „	733,344	6,204	727,140
		1,795,836	81,314	1,714,522
	5th January, 1811	401,295	32,226	369,069
	5th April, „	259,782	10,812	248,970
	5th July, „	349,796	31,603	318,193
	10th October, „	652,015	5,972	646,043
		1,662,888	80,613	1,582,275
	5th January, 1812	327,865	35,753	292,112
	5th April, „	213,621	6,479	207,142
	5th July, „	211,453	35,370	176,083
	10th October „	380,237	2,692	377,545
		1,133,176	80,294	1,052,882
II.—	5th January, 1843	228,012	29,433	198,579
	5th April, „	121,088	18,086	103,002
	5th July, „	160,942	22,006	138,936
	10th October, „	162,539	4,243	158,296
		672,581	73,768	598,813
	5th January, 1844	285,182	16,654	268,528
	5th April, „	147,750	3,230	144,520
	5th July, „	210,748	5,490	205,258
	10th October „	345,954	2,233	343,721
		989,634	27,607	962,027

Now it will be necessary to make several qualifications of this statement before we can draw a just comparison between the periods to which it refers.

1. The drawback of about 60,000*l.* a-year, on timber used in the mines of Cornwall, was a regular attendant of the old law, and forms a legitimate deduction from the gross receipt. But the sums charged on this account in the years 1843 and 1844 were liabilities incurred in the preceding years which stood over, and ought not to be charged to the debit of the new system. I shall, therefore, make a corresponding deduction from the sum of 73,768*l.*, charged for drawbacks and repayments in 1842-3, and I shall withdraw (by conjecture) for the same reason half of the 27,607*l.*, which appears for 1843-4.

It will be seen that in the table the total amount of repayments before the change in the law exceeds 80,000*l.* annually, but rather more than a fourth of this amount was disbursed on wood other than that used in the mines.

2. The diminution of half a million in the last year of the first term is owing, without doubt, in some degree to that stagnation of the trade which prevailed to a great extent from the middle of March, 1842, when the new duties were announced, to the 10th of October, when they took effect. But there is, it will be observed, a decrease on the receipt of the first quarter amounting to 77,000*l.* as compared with the corresponding quarter of the foregoing year: it having fallen from 369,000*l.* to 292,000*l.*, and this before any change in the law could well have been anticipated. Hence it is clear, that a great diminution in this branch of the revenue must have taken place if the law had continued as it was: and indeed the fact is otherwise notorious, that the timber-market was thoroughly glutted, and the demand extremely feeble at the time. Still, as it is not easy to assign to each of these concurrent causes their due share in producing the effect, I propose to leave out the year 1841-2 altogether, and to adopt another mode of ascertaining what allowance ought to be made for the stagnation of all building enterprise, in estimating the consequences of the alteration of the law.

3. With this view I have procured a statement of the produce

of the brick-duty in the years 1840-4, and I propose to take the decline of it in the years 1843 and 1844 as compared with 1840 and 1841, as a criterion of the decline which would have occurred in the timber-duty if the law had remained without change. I think there is every reason to suppose it would even have been greater. The periods do not precisely correspond, as the years of the timber account begin on the 10th of October, and the years of the brick account on the 5th of January: but this is to the disadvantage of my argument, as the period taken for bricks being by nearly three months later represents a more advanced stage of that commercial recovery which was in progress during the years 1843 and 1844:—

The receipt from bricks in 1840 was	.	.	.	£524,000
"                    "          in 1841	.	.	.	449,000
Mean of the two	.	.	.	486,000
The receipt from bricks in 1843 was	.	.	.	363,000
"                    "          in 1844	.	.	.	447,000
Mean of the two	.	.	.	405,000
The net receipt from timber in 1840, or rather from				
October 10, 1839, to October 10, 1840, was	.	.	.	1,714,000
In the year October 10, 1840, to October 10, 1841	.	.	.	1,582,000
Mean of the two	.	.	.	1,648 000

We have, therefore, the following proportion:—

$$£486,000 : £405,000 :: £1,648,000 : x,$$

$x$  being the probable annual receipt from the timber-duty between October 10, 1842, and October 10, 1844, under the old law. On working this sum, we find

$$x = £1,373,000.$$

Which I therefore assume as the standard of comparison to try the new law:—

Probable annual receipt from timber under the old scale				
of duties from October 10, 1842, to October 10,				
1844	.	.	.	£1,373,000
Actual receipt, first year, gross	.	.	.	£672,581
Deduct for repayments	.	.	.	13,768
Net receipt	.	.	.	658,813
Loss	.	.	.	£714,187

Again :

Probable receipt from the old duties, as before . . .	£1,373,000
Actual receipt, second year, gross . . .	£989,634
Deduct for repayments . . . . .	13,803
Net receipt . . . . .	975,831
Loss . . . . .	£397,169
Gain upon the second year as compared with the first	317,018

Thus the loss upon the first year was greater by 114,000*l.* than Sir Robert Peel's estimate : but such was the progress of recovery that in the second year it was less than his estimate (of 590,000*l.*) by no less than 193,000*l.* : and the mean loss of the two years, ascribable, with any presumption of justice, to the change in the law, was 555,500*l.*, less by about 40,000*l.* per annum than the allowance he had made.

Some persons may be surprised at the very great difference between the first year and the second : but it may, I think, readily be accounted for by the fact that a second reduction of 5*s.* per load on timber and 6*s.* per load on deals took effect at the commencement of the second year, and that a considerable quantity of goods, held back for the benefit of this reduction, go to the account of the second year, whereas in the natural course of things they would have belonged to the first.

When, however, it is remembered, how peculiar was the course of the timber-trade and the mode of preparing deals for the British market under the former law, that we have only two years of the new system before us, and that timber does not come here until the year after it is cut, I think it is evident that another twelvemonth at least must elapse before we can fully appreciate the benefits of the alteration which has been made.

As, however, it was confidently predicted by many persons that the consumer would not obtain the benefit of the great reduction of the duties on foreign timber, I have referred to trustworthy sources of information, and have obtained the following results:—

Price of Dantzic or Memel timber in the London market per load, duty paid :—

January, 1842 . . . . .	£5 12 6
January, 1845, 4 <i>l.</i> 7 <i>s.</i> 6 <i>d.</i> to 4 <i>l.</i> 10 <i>s.</i> . . . . .	Mean £4 8 9

Reduction to the consumer in 1845 . . . . . £1 3 9

Again :

Dantzic fir, common and middling, sold in Liverpool,\*

In January, 1841, for 26½ <i>d.</i> to 27 <i>d.</i> . . . , .	Mean 26¼ <i>d.</i> per foot.
„ 1842 „ 24½ <i>d.</i> to 25½ <i>d.</i> . . . .	Mean 25 <i>d.</i> „
„ 1845 „ 19½ <i>d.</i> to 21 <i>d.</i> . . . .	Mean 20½ <i>d.</i> „

Showing a reduction in 1845,

As compared with 1841, of 6½*d.* per foot, or 27*s.* 1*d.* per load.

„ „ 1842, of 4¾*d.* „ 19*s.* 10*d.* „

Which latter, however, was a period of very great depression in the wood trade, and not such as to exhibit with any fairness the ordinary state of the market.

I take next the article of coffee, the second in importance of those on which material reductions were made in the year 1842.

The duty was lowered on British coffee from 6*d.* to 4*d.* per lb., and on foreign from a rate nominally of 15*d.*, and really of 9*d.* (with an addition of extra charges making it perhaps equal to a burden of 10*d.*), to 8*d.* per lb. The first loss was calculated at 226,000*l.*; but it was hoped that so much of this would be made up by increased consumption as to leave an actual defalcation of only 170,000*l.*

Now, on turning to the ‘Expository Statement,’† we find that the produce of the duties on coffee was as follows:—

Mean of two years before the Act 5 and 6 Vict. c. 47 .	£803,316
First year under the Act . . . . .	781,722
Loss . . . . .	£21,594

Much coffee, however, was held back during the four months of discussions on the new table of duties, and swelled beyond its just proportions the receipt for the first year.

Again, the receipt of the second year under the Act was interrupted by the further change of the duty on foreign coffee from

\* See Circular of Messrs. James Houghton and Co., brokers, for Feb. 1845.

† P. 158.

6*d.* to 4*d.* per lb. in 1844. We may however estimate, with tolerable accuracy, the effect of this latter reduction by reference to the receipts for the year 1844, as compared with the year 1843, which are given in the tables on trade and navigation, presented to Parliament on February 12, 1845.\*

The revenue from coffee for 1843 was	. . .	£697,983
The revenue for 1844 was	. . .	682,218

Less in 1844 by	. . .	£15,765
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But the Chancellor of the Exchequer, in his financial statement for 1844, had estimated his loss at 50,000*l.*; and the immediate remission of 2*d.* per lb. on 9,854,000 lbs., the quantity of foreign coffee consumed in 1843, amounted to 82,200*l.*

In this case much must be allowed for the advancing prosperity of the nation, and something for the gradually growing use of coffee as compared with other commodities; but enough will surely remain to warrant the assertion that the reductions upon coffee have been, up to the present time, eminently successful in their effects with regard to the revenue and also, if progressive extension of demand may be taken as a criterion, to the consumer.

I shall next extract from the 'Expository Statement' the most important, after timber, of those raw materials and accessories of industry on which remissions of duty were then granted. These I consider, speaking generally, to be the following articles:—

- |                |                          |
|----------------|--------------------------|
| 1. Hides.      | 7. Rosewood.             |
| 2. Turpentine. | 8. Lard.                 |
| 3. Palm-oil.   | 9. Copper-ore.           |
| 4. Olive-oil.  | 10. Train and sperm oil. |
| 5. Bark.       | 11. Iron.                |
| 6. Mahogany.   |                          |

But of these I shall not include copper-ore, because, although the trade has increased since the Act of 1842, the allegation of those interested in it is, that the burden of duty then imposed as the condition of being allowed to smelt in this country much more than counterbalanced any advantage attending an admission to the home-market.† Nor lard, nor train and sperm oil, because

\* Paper No. 18, Sess. 1845.

† Before the law of 1842 the duty on copper-ore was prohibitory, but parties were allowed to smelt in bond for export. By that law the prohibitory duty was very

those cases are complicated by the direct competition of the foreign and British article, and should rather be considered in connexion with another branch of the subject. Nor iron, because the demand for foreign iron has, I apprehend, suffered more by improved modes of preparation for British iron than it could gain by a diminution of the customs' duty. After withdrawing these, there remain seven articles which will afford considerable information with regard to the working of the altered law.

The deliveries for consumption, however, of the first year were so much enlarged in most of these cases by the great inducement to hold back for the reduction of duty, which operated during the discussions of 1842, that I shall notice only the second year's returns, as a fairer standard of comparison.

Articles.	Estimated First Loss by the Reduction of Duty	Mean Entries for Consumption in 1838 and 1840.	Entries for Consumption, July 1843—44.	Mean Revenue of 1838 and 1840.	Revenue, July 13, 1843—44.
	£.			£.	£.
1. Hides . .	45,000	349,903 cwts.	551,550 cwts.	48,976	8,029
2. Turpentine .	80,500	365,621 „	509,410 „	82,056	2,237
3. Palm-oil .	11,000	293,936 „	393,491 „	18,817	10,391
4. Olive-oil .	24,000	7,960 tons	9,591 tons	42,897	20,940
5. Bark . .	13,000	625,612 cwts.	894,783 cwts.	20,874	11,983
6. Mahogany .	42,000	22,957 tons	22,885 tons	52,494	11,315
7. Rosewood .	8,500	1,671 „	2,864 „	10,190	2,926

In the next table I bring out the results upon trade in a more definite shape :—

Articles.	Actual Loss of Revenue on each Article.	Quantities added to the Trade.	Assumed Value of the Unit.	Value added to the Trade.
	£.			£.
1. Hides . . .	36,971	201,647 cwts.	45s. over all	453,706
2. Turpentine .	79,819	133,789 „	8s. „	53,510
3. Palm-oil . .	8,423	99,455 „	25s. „	123,774
4. Olive-oil . .	21,957	1,631 tons	60l. „	97,860
5. Bark . . .	8,891	269,171 cwts.	7s. „	94,210
6. Mahogany .	41,148	— 72 tons	10l. „	— 720
7. Rosewood .	7,264	1,198 „	10l. „	11,980
Total . .	204,473	..	..	834,720

Thus we find, with a sacrifice of 204,000*l.* in duties on raw materials, an extension of trade in them to the extent of 834,000*l.* I should describe this as a satisfactory and sufficient rather than as a very remarkable result.

It would be easy to present others which are, in a financial view, much more striking: in cases where duties nearly prohibitory, or other impolitic arrangements, were amended.

For instance, the mean produce of the duties on foreign sperm-oil, train-oil, and whale-fins, in 1838 and 1840, was 10,463*l.*, the duties then being 26*l.* 12*s.* per tun on the two former, and 4*l.* 15*s.* per cwt. on the latter. Indeed it was only the prevalence of enormous prices at home that caused the entry of the sperm-oil which yielded almost the whole of this small revenue.

But on the 5th of July, 1843, the duties were reduced, under the provisions of the Act of 1842, as follows:—On sperm-oil, from 26*l.* 12*s.* to 15*l.*; on train-oil, from 26*l.* 15*s.* to 6*l.*; and on whale-fins, from 4*l.* 15*s.* per cwt. to 20 per cent. *ad valorem*—a rate probably equal to about 20*s.* per cwt., or little more. The revenue yielded in the year from that day to July 5, 1844, was—

On sperm-oil	.	.	.	£44,272
On train-oil	.	.	.	6,663
On whale-fins	.	.	.	6,530
Total				£57,465

So that a gain of nearly 50,000*l.* for one year followed upon this reduction. I may add that, owing to increased demand, there was a simultaneous improvement in the prices of sperm-oil as compared with their previous range.

Again, copper-ore, which yielded no revenue under the former law, produced about 47,000*l.* in the first year after the Act of 1842, and nearly 70,000*l.* in the second, with no contraction, but, on the contrary, with an expansion of the smelting operations of the country.

Again, lard, at a duty of 8*s.* per cwt., yielded in 1840 the sum of 30*l.* In the first year of the new law, at 2*s.* per cwt., it was entered to such an extent as to produce 4946*l.*, and in the second year 7980*l.*

In the year 1840, thrown silk yielded a revenue of only 725*l.*,



the chief part of the importation paying a duty of 3s. 6d. per lb. A drawback was allowed which absorbed nearly the whole receipt—and, indeed, in 1838, there was an excess of repayment over revenue to the extent of 5398*l.* In the first year of the new law the debentures due under the old one again absorbed the whole revenue; but in the second year the balance of net receipts amounted to 16,420*l.*

I will give two other instances, in which duties were reduced for the purpose of driving the smuggler, if possible, out of the market.

Under the former law watches were charged at 25 per cent. *ad valorem*: the value entered in 1840 was 5084*l.*, and the duty paid was 1387*l.* In 1842 the duty was reduced to 10 per cent.: the value entered rose to 52,622*l.*, and the duty paid to 5391*l.*

The duty on thread lace was reduced in 1842 from 30 per cent to 12½ per cent. on the value, with the active concurrence (a rare example) of the parties engaged in carrying on the trade at home. The entry under the head 'Thread Lace' in the 'Statement' shows an increase only of about one-fourth in the quantities entered under the new law; but another heading had been introduced for all lace made by the hand, including thread lace, under which a large and apparently increasing quantity has been entered:\* so that in this instance, also, we may hope that the province of the smuggler has at least been greatly narrowed.

I have still one portion of the 'Statement' to subject to further

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\* I believe that the annexed figures will represent pretty accurately the effect of the alteration in the duty upon thread lace.

<i>Duty received on Thread Lace.</i>				
1838	.	.	.	£1,392 12 0 Rate of duty 30 per Cent.
1839	.	.	.	2,403 8 6 „
1840	.	.	.	1,791 6 5 „
1841	.	.	.	1,239 19 10 „
1842	.	.	.	1,001 17 4 „
				2,515 8 7 Pillow Lace.
				£3,517 5 11
				Duty reduced in July, 1842, to 12½ per Cent.
1843	.	.	.	953 5 2
				7,611 17 7 Pillow Lace.
				£8,565 2 9 Duty 12½ per Cent.

examination : that of articles of consumption, by which I mean such as are comprised in classes C and D, with reference to the effects of the late reductions upon protected interests.

I have already shown how easily the revenue surrendered under these classes recovered itself, which, of course, could only be by increased importations, and it is not difficult to name many articles on which such increase has taken place : gloves, boots and shoes, damask and diaper linens, corks, toys, prints and drawings, India silks, tanned leather, and many more, in Class C ; and in Class D, animals, fish, lard, salt provisions, potatoes, onions, and some other vegetables.

IV.—But I own it appears to me impossible for any person who has been cognisant from the beginning of the discussions in and out of Parliament relating to the Act of 1842, who has noticed the fears and hopes with which in different quarters many of the new duties were regarded—and, finally, who has examined the results of the change with any care—to do otherwise than rest in the conclusion that both those hopes and fears were by many persons enormously exaggerated, and that, as a general (I by no means say an invariable) rule, British industry has much less to apprehend than was commonly, perhaps almost universally, supposed, from the effects of foreign competition in the domestic market.

This, however, is a subject too important to be discussed without careful illustration ; and, in order to afford it, I shall have occasion to refer both to debates which took place in Parliament, and likewise to representations made, and I believe most honestly made in many cases, to the Government with reference to the certainty of the most destructive consequences if they should persevere in the proposals which they had submitted to Parliament.

Some parties obtained partial concessions which, forming my judgment at this time with the aid of the experimental results, I should say, had better in almost every instance have been withheld : some kicked and plunged vigorously, but in vain ; and some made up their minds to ruin with a decent composure. Many who resisted because they thought the sacrifice demanded of them too great—and many more who thought it their duty,

under the distressed circumstances of the country, not to refuse it, however large—must have been alike surprised to discover, by subsequent experience, in how numerous cases the mountain has simply, as of old, produced the mouse.

There were, indeed, some rather sharp and stringent effects on prices caused by the legislation of 1842; and particularly I would name the case of the Irish provision trade. But these were the exceptions. As a general rule they were gentle and insensible; and in many cases where the very greatest and most boisterous alarm had existed, absolutely null. There is no worthy satisfaction in reverting simply to the circumstance that expectations which had been extensively entertained were very generally falsified. But there is a most just pleasure attaching to the discovery that the power of British skill and labour are greater than we had believed them to be; and this is the most important proposition established by the smallness of results which followed upon many very great reductions of duty.

Nearly one hundred and fifty questions were discussed between the Government and the various interests which were, or believed themselves to be, affected by the changes proposed in the law; and twenty-six divisions were taken in the House of Commons, many of which, however, were in favour of more sweeping propositions than those of the Government. But I will go to particulars.

And first I will point out that where there has been an increase large enough to be worth naming in the import of an agricultural or manufactured product, it has still been in almost every instance confined within very moderate bounds. For example, from the first class.

The duty on potatoes was reduced from 2*s.* to 2*d.* per cwt., although the Government was confidently assured by a deputation to the Board of Trade, on the 12th of April, 1842, that, with so small a protection, the cultivation of them in Yorkshire must be abandoned. The import rose from 1794 cwts., in 1840, to 99,062 cwts., or nearly 5000 tons, in the second year of the new law. But this quantity is little more than the crop of 600 acres of land; and constitutes but one-sixtieth part of the estimated

consumption of the metropolis alone, perhaps one six-hundredth part of the consumption of the country.

The duty on onions was reduced from 3*s.* to 6*d.* The quantity increased from 14,500 bushels in 1840, to 34,900 in the second year of the new law. Now this quantity, I believe, is the yield of about 116 acres of land : whereas I have been informed that, in the county of Essex alone, eight or ten times that breadth is occupied in raising not onions, but onion-seed.

Again, among manufactured articles. The importation of men's boots rose from 4800 pairs to 12,900 pairs, and shoes of the same description from 1100 pairs to 3700 pairs. But if we assume that each male person in the metropolis and its vicinity wears out two pairs of boots or shoes annually, it will appear that the increase in the foreign supply of between 10,000 and 11,000 pairs can scarcely amount to more than one-hundredth part of the demand for that portion of the population of the country taken alone. In the case of women's boots and shoes there is an increase of about double the number of pairs, which might possibly supply about 2 per cent. of the corresponding demand.

In another class of cases where the first proposition of the Government was regarded as utterly ruinous, and some modification of it took place in consequence of the apparent strength of the representations, or of the indisposition to bear hard upon a feeble class (for no such concession was made during the whole of the discussion in any case affecting a powerful interest), the result has very commonly been that the change eventually made has been practically a nullity.

For instance, in the first print of the Resolutions of 1842, it was proposed to reduce the duty on starch from the prohibitory rate of 9*l.* 10*s.* per cwt. to 5*s.* per cwt., about 20 per cent. on the value of the foreign article in bond. However it was subsequently agreed to substitute 10*s.* for 5*s.* ; and even a greater change than this was urged by members of Parliament inclined to free trade, on the ground of the enhancement of the cost of wheat (from which starch was usually made) in this country through the operation of the corn law. The duty of 10*s.* was represented by manufacturers of starch as a totally insufficient protection. Now mark the result.

In the first twelve months of the new law we find an experimental importation took place to the extent of 498 cwts. But in the second year it sank to 20 cwts., or a value of about 25*l.* -

The case of straw platting, again, is a remarkable one. In order, however, to estimate it justly, we must combine with it the entries of the hats or bonnets made of straw plat. These latter were charged by the dozen under the former law; but I convert these into weight at 3 $\frac{3}{4}$  lbs. per dozen :—

	1838.	1839.*	1840.
Weight of straw-plat entered . .	34,662 lbs.	22,340 lbs.	13,034 lbs.
„ straw hats or bonnets . .	1,171 lbs.	1,241 lbs.	2,307 lbs.
	<u>35,793 lbs.</u>	<u>23,531 lbs.</u>	<u>15,341 lbs.</u>

Thus the trade was falling off. The duty was very high—17*s.* per lb., or about 80 per cent. on the plat, and from 50 to 60 on the manufactured article: an anomalous relation between the duties on the material and on the article made up, which was very far from uncommon under the former law. It was proposed to reduce the duty on the plat to 5*s.* Numerous remonstrances were made; and the Government so far receded as to fix it at 7*s.* 6*d.*; and that on hats or bonnets of straw was settled at 8*s.* 6*d.* per lb., instead of a rate equal probably to about 18*s.* 6*d.* per lb. In the face of these great reductions, the importations actually declined upon the change; and in the second year they scarcely recovered the low scale of 1840, and did not reach a moiety of that of 1838, as will appear from the following figures :—

	1842-3.	1843-4.
Weight of straw plat entered . . .	8,322 lbs.	12,070 lbs.
„ of straw hats or bonnets . . .	4,081 lbs.	3,546 lbs.
Total . . .	12,403 lbs.	15,616 lbs.

Without specifying other instances, I pass to another numerous class of cases—those, namely, in which speculation was set to work by the change of the duty, and importation of the commodity immediately took a spring; but in which a material decrease in the second year, as compared with the first, shows that the expecta-

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\* See Tables of Revenue, Trade, &c., Part x., 1840.

tions which had been raised had also been in various degrees disappointed. Thus, for example, we find the following entries:—

1. Among manufactured goods—

	First Year.	Second Year.
Gloves . . . . .	1,919,000 pairs	1,795,000 pairs
Damasks and damask diaper	33,000 yards	21,000 yards
Plain linens . . . . .	7,500 <i>l.</i> at value	6,500 <i>l.</i> at value
Spirit of turpentine . . . . .	7,722 cwts.	35 cwts.
Embroidery . . . . .	25,000 <i>l.</i> at value	7,500 <i>l.</i> at value
Manufactures of skin or fur	3,700 <i>l.</i> „	1,800 <i>l.</i> „
Hard soap . . . . .	710 cwts.	536 cwts.
Dutch bricks . . . . .	233,000 number	202,000 number
Plain china . . . . .	1,353 <i>l.</i> value	980 <i>l.</i> value

2. Among articles of food—

	First Year.	Second Year.
Beef, salted (foreign) . . . . .	3,462 cwts.	989 cwts.
Pork, salted (foreign) . . . . .	7,677 „	1,096 „
Salmon . . . . .	764 „	108 „
Bacon (foreign) . . . . .	206 „	28 „
Hams (foreign) . . . . .	6,188 „	2,716 „

Most of these were articles, with regard to which the very greatest apprehensions had been expressed. It is within my own recollection, that in the month of August, 1842, the people of a rural district of Scotland, thirty or forty miles from any focus of foreign trade, were much excited on the subject of some salt meat which had been exposed for sale at 3*d.* per lb., in consequence, as was professed, of the new tariff: the fact being that the change in duty on that article amounted only to the small sum of 4*s.* per cwt., and that this change did not take place until the 10th of October, two or three months after its miraculous results had been palmed upon the public. Nor was it an uncommon thing in the streets of London to see advertisements of goods purporting to be cheapened by the new tariff, with regard to which no change either was made or had ever been proposed.

But the most remarkable example of this recession after a first experiment was in the case which of all others excited the greatest alarm and apprehension—namely, the importation of live animals for food. Arguing in Parliament against the exaggerated appre-

hensions which were entertained with respect to the effects of that measure, I protested against an estimate, that had met my eye, according to which it was shown, that in the course of a few years there might be 300,000,000 pigs disposable for importation into England from a single country: but I, somewhat weakly, admitted the possibility that within a short time we might have from abroad as a maximum of addition to our supplies, 50,000 head of cattle annually. The importations of the first six months were—

Cattle . . . . .	4,076
Swine and hogs . . . . .	410*

But the parties engaged in them apparently (as it is termed) burnt their fingers: for in the whole year 1843 there were only imported—

Cattle . . . . .	1,482
Swine and hogs . . . . .	361

There is, indeed, a revival in 1844, sufficient to save the results of the measure from becoming ridiculous. In that year we obtained from the whole world—

Cattle . . . . .	4,865
But of swine and hogs only . . . . .	271

An argument, however, has been frequently advanced to the effect, that the foreign prices have acted powerfully in reducing British prices to their own level, although when they had reached that level no extended opening could remain for importation. My answer is two-fold: first, it is impossible that foreign prices could have exercised a depressing influence upon the immense market of England to any considerable extent—say, for instance, 1*d.* per lb.—without having held out such opportunities of profit by actual importations from abroad as must have led to very much more extensive operations than those which have actually taken place; secondly, there are two modes in which price may be lowered—either by addition to supply, or by subtraction from demand. An addition of 3000 head to supply will have no greater effect upon prices than a diminution of 3000 head in the demand. The new tariff is responsible for the addition of 3000

head to the supply; but commercial distress—affecting immediately, perhaps, four or five millions of the people, nearly all of whom were consumers of animal food—is responsible for contracting the demand to an amount nearer 300,000 head than 3000. If fall of price took place, it appears to me more rational to ascribe it to the latter cause than to the former one.

The result seems to be that there is no likelihood, for some considerable time at least, of our obtaining a supply of cattle from abroad at all sufficient to meet the steady increase of our population. Nor is this, in my view, an unsatisfactory result. On the contrary, what has taken place is highly cheering, for this reason, at least, that it shows this most important branch of agricultural industry in our own country to be pursued with an economy and skill which need not shrink from competition, and which, indeed, has now defied it; and it may teach us not to regard, so much as we are apt to do, the low nominal prices which commodities may bear in some other countries, while, notwithstanding, it may be, and is often true, that, when quality is considered, the Englishman gets the cheapest article.

I must quote, however, as a last class of illustrations, one or two cases of manufactured commodities, for the very striking manner in which they contrast the anticipations of persons bewildered by their fears with the actual results of changes in duties upon imports.

Amidst predictions of ruin, the duty on the candles termed *stearine* (a refined tallow) was reduced from 63*s.* 4*d.* to 23*s.* 4*d.* per cwt. The quantities entered were no more than 1000 lbs. (of the value of perhaps 50*l.*) in the first year, and 2000 (or 100*l.* in value) for the second.

The duty on beaver-hats was lowered from 10*s.* 6*d.* each to 2*s.* 6*d.* each. Foreign hats had been introduced in 1840 to the number of 240. In the first year of the new Act they were but 135, and in the second 191.

The duty on cordage and on cable-yarn was reduced from 10*s.* 9*d.* per cwt. to 6*s.* per cwt. The first proposal was only 5*s.* This duty touched upon a very important trade, and a great mass of hand labour. We are importers of 700,000 cwts. of



hemp annually, of the value of about a million sterling. There was submitted to the Government the most complete invulnerable paper-demonstration, that our trade in cordage must pass bodily into the hands of Russia. Export duties, low wages, employment in the long Russian winters for hands otherwise idle, and therefore costing next to nothing, saving in freight and insurance—all these arguments and many more were duly marshalled. It was shown by a price current from St. Petersburg that the change meditated in England had excited attention in that market. Moreover, all this was not only urged by traders of intelligence and character, but they were led on by one of the most distinguished among the many distinguished men of business in the city of London, thoroughly acquainted with the trade from former connexion, but then, I believe, retaining little or no interest in it. The prophecies of such men made, I confess, a deep impression on my mind, which has become deeper still since I have witnessed their issue.

However, the stroke descended; and the importations of cordage and cable-yarn, taken together, which had reached 451 cwts. in 1838, and 294 cwts. in 1840, rose to 333 cwts. in 1842-3, and to 1032 cwts. in 1843-4; the trade in the manufactured article thus appearing to be in extent about one six-hundredth part of that in the raw material.

The case of corks, on some accounts, was still more remarkable, because it was one of those commonly quoted at the time by such persons as chose to cast upon the Government the imputation that, while they dealt gently with great interests, they dealt most severely with small ones; and I am bound to add, because, as I believe, the journeymen employed in this trade were, in some instances, actually dismissed from work in anticipation of the change. They therefore, no doubt, had good reason to believe the predictions that were freely delivered on all hands of the total and certain loss of our trade in cork-cutting; and, I must admit, it was distressing to receive from persons in such a class remonstrances so piteous, delivered in a manner the most candid, simple, and sincere.

Their case attracted an uncommon degree of attention, and

perhaps not less than ten or twelve deputations attended various members of the Government upon it, to say nothing of a voluminous correspondence, while a most lively interest in their favour was excited in the House of Commons.

But I think it is manifest that these parties, and those who supported them in Parliament, were deceivers, as being themselves deceived. I arrive at this conclusion from the figures before me. The change was postponed until July, 1843, so that there was plenty of time to prepare large importations of the manufactured article. The old duties were, on the wood, 8*l.* per ton, and on corks 7*s.* per lb. The uniform declaration of the parties in the trade was, that no duty less than 4*s.* per lb. would protect them. The rates were reduced to 1*s.* per ton on the wood, and 8*d.* per lb. on corks. The importations of the first year, under the altered system, were as follows:—

Corks, 81,683 lbs. =	. . . . .	36½ tons.
Cork-wood . . . . .	. . . . .	4,271 „

Or the import of the manufactured article from abroad was about the one-hundred-and-eighteenth part of the import of the material to be manufactured in this country. But there is much refuse in cork-wood. If, then, we allow each ton of corks to represent in value two tons of cork-wood, still the proportion remains one to fifty-nine. If, further, we ought to allow for the excess in the delivery of cork-wood for the period in question, because of the reduction of the duty charged on it, then we find the average delivery of two years—from July, 1842, to July, 1844—to be only 2973 tons,\* instead of 4271 tons; and the proportion of the trade in the manufactured article becomes one in forty-one, or somewhat less than 2½ per cent. of the whole. This is a change, no doubt; but if it be a violent and cruel one, then it is difficult to conceive what change is not violent and cruel; and it remains a memorable example of the difference, in such matters, between anticipation and experience.

I must add, however, that I had long ago been informed that the trade was in a small number of hands, and was conducted

\* The mean delivery of 1838 and 1840 was 2933 tons.

with something of the manner of monopoly, and that English corks were very inferior to those of French manufacture. I learn, upon recent inquiry, that the price of wine-corks has been reduced from 8s. to less than 6s. 6d. per lb. by the change; but the bulk of the trade, it is manifest, has been retained in British hands.

I shall draw a concluding illustration from the occurrences of last year. The same words, I might almost say the same formulæ, of sinister prognostication were then used, *mutatis mutandis*, by the manufacturers of vinegar, including persons of the very highest respectability, which had been employed in 1842 by many scores of other classes. I ventured to refer, at a conference, to the falsification of the previous omens in so many instances. I was answered by a distinguished member of Parliament (friendly to the abolition of the Corn Law), who accompanied the deputation, that it would be no consolation to the vinegar manufacturer when he should find his apprehensions realised, to know that other trades had discovered theirs to be baseless. It afforded, however, some presumption that his demonstrations and his prophecies might prove to be of the same family as theirs, and to be destined to the same limbo.

The trade declared a duty of 1s. per gallon on foreign vinegar to be necessary in order to enable them to subsist. It was reduced (from 1s. 6d.) to 4d. I subjoin the result:—

Quantities of Foreign Vinegar entered for Home Consumption.

In the year 1841	. . .	22,205 gallons.
In 1842	. . .	18,139 „
In 1843	. . .	14,144 „
In 1844 (new duty from June 6)	. . .	49,574 „

Now, the quantity of British vinegar charged with excise duty appears to have been about 3,000,000 gallons,—so that the foreigner has at most obtained (up to the present time) but one-sixtieth part of the trade, and fifty-nine parts remain with the British manufacturer.

That in some few instances, among alterations so numerous, the British producer may have been subjected to inconvenient pressure, I can readily believe: that increased importation has

produced benefit to the public almost follows, as a general rule, from the fact that it has taken place. That the degree of increase has ordinarily been so limited appears to me, on the whole, to be a fact full of instruction; and gives rise not only to the supposition that foreign competition has often stimulated improvements which have enabled the British producer to repel or to endure it, but also to the inference I have already named,—which, if true, is very important,—namely, that British industry—even when it is not supported by superior machinery, by the application of capital on a large scale, or by great physical advantages—is able to meet the industry of foreign countries upon a footing of less inequality than we have been apt to suppose.

It would be well, also, if all parties, who conceive themselves to be threatened by impending changes, would recollect that there are usually some classes who have a strong interest in exaggerating their force, and that such interest may either afford a temptation to dishonesty, or very powerfully warp the judgment. It was, for instance, a tempting opportunity in 1842 to assure the farmer that foreign cattle would come over like locusts, and thereby to induce him to sell his own better bred and fed beasts for much less than they were worth. Much mischief of this kind, I do not doubt, has been done; but for such mischief the legislature is hardly to be held responsible.

I have now completed my endeavour to show—however inadequately, yet in a connected form—the proportion of our revenue and of our commerce which have been affected by legislation, comprised within a period of three years, and the results of that legislation upon both; and I cannot scruple to avow that they seem to me to vindicate the policy of a gradual and circumspect relaxation of restrictions, as being the best means of enabling the skill and labour of England to find their full value in the market of the world.

It has been my endeavour rather to state facts, and the inferences immediately connected with them, than to trace the relation subsisting between these and the general principles of trade, and of legislation in respect to trade. Yet I feel strongly that the results obtained up to the present time, although necessarily as

yet incomplete, are in a high degree favourable to the commercial policy applied on a large scale by the legislature in the year 1842, and again upon different occasions during each of the years that have since elapsed. I have yet greater satisfaction in the belief that these results tend not less, but even more powerfully, to uphold the proposition that the foundations of the commercial power of this country are up to this moment, at least in a commercial sense, unimpaired; and that the industry and skill, which are its central support, together with the physical advantages and those of great capital and long established connection which are its accessories, will receive no vital wound from the restrictive measures which have found or may find acceptance elsewhere.

But while it seems to me just that the principles favourable to the circumspect and guarded relaxation of restraints upon trade should not be defrauded of any credit which an actual, though partial, experience may show to be their due, I am bound to add that I for one draw no inferences from what I am about to state in favour of their precipitate and sweeping application, or of practising, by an incessant repetition of experiments in legislation, upon those employments by which our fellow-countrymen gain their bread. I am a deliberate adherent of that policy which is described in contemptuous terms as halting between two opinions: between the opinion which regards commercial restriction as being permanently and essentially a good, and the opinion which deals with it as an evil necessarily greater than that of a sharp and violent transition to freedom; as the source of all our economical difficulties; and even as a violation of the laws of God. Nor is it a fearful and languid mean, a mere neutrality, of which the observance is here implied: it is only that reasonable circumspection, that regard to the lessons of the past, in their detail, as guides for the future—that just comparison of conflicting considerations and care to elicit their compound result, which in almost every branch of legislation constitute the universally acknowledged rule of statesmen, and which have alike marked the genius of the institutions of this country as a whole, and the character of its people.

For the desire to realise, under these conditions, a just

liberty of trade, I can deem no apology requisite from any adherent of a party which follows in the main Mr. Burke and Mr. Pitt as its guides among the luminaries of a former generation, and which has reckoned Mr. Canning, Lord Liverpool, and Mr. Huskisson among its members, within the memory and the experience of our living statesmen. The disposition, by which that desire is balanced, is a disposition to respect the subsisting distribution of capital and labour, to preserve it from all violent and sudden shocks, and from the worrying agitation of incessant change, to maintain a confidence, not in the absolute immobility of law, but in the determination of the legislature to deal temperately and dispassionately by all, to adopt no change except for some good and positive reason, and to confine it when adopted within the limits which such reason prescribes. For this disposition I find an ample defence, alike in the writings of economists, in the acts of commercial statesmen, and in the analogies which all legislation, and especially which all British legislation, supplies.

There are indeed some who would, as it were, revenge upon commerce itself the wrong done to higher pursuits and ends by the money-worshipping spirit of the age. I do not doubt that wealth is the heaviest curse to those who idolize either it or the pleasures which it purchases; and that the pursuit of wealth is often one of the subtlest snares by which the path of the human being is beset. But in this view, wealth, and commerce as the means of wealth, are like knowledge, or talent, or health, or any other earthly endowment. Yet each of them has its place in the natural—that is, in the Providential—order of the world. Let us not exalt them above their own region, but neither let us deny their prerogatives within it. The diversity of the productions of different regions is the primeval law which sanctions their exchange:—

‘Nonne vides, croceos ut Tmolus odores,  
India mittit ebur, molles sua thura Sabæi?’—*Virg. Georg.* I. 66.

Still there is an alteration in the policy of the present year, as compared with that of 1842, so important as to demand specific notice: I mean the total abolition of duties, of great duties like

those on cotton and glass, as well as small ones, like the multitudes of petty imposts that are now on the point of being swept from our tariff, instead of a reduction which might aim simultaneously at relieving trade and at giving scope, through increased consumption, for the final recovery of the revenue surrendered.

I am not about to discuss in this place the policy of the abolition of minor duties on materials of industry, but to offer a few remarks upon another very important subject, closely allied to that of our own commercial legislation—I mean the commercial legislation of foreign countries. It is by considerations drawn from this quarter that I should prefer mainly to vindicate the principle of total abolition of duty, as applied to those articles upon which British labour is to be employed.

But in the first place I must endeavour to set aside a notion which has gone abroad, and which has received countenance in quarters where it was little to be expected, that our trade with foreign countries, and especially with the continent of Europe, is of comparatively small, or at any rate of diminishing, importance. I apprehend that the labour of the people of Great Britain, man for man, is the most productive labour in the world. We subject it to a severe test in comparing it with that of the United States. On turning, however, to a recent estimate, drawn from accounts which have the sanction of some public authority, I find the total annual product of the industry of that country,\* in the various branches of agriculture, manufactures, commerce, mining, the forest, and the fisheries, calculated at 1063 millions of dollars; equal to about two hundred and fifty millions sterling. The population amounted at the same time to between eighteen and nineteen millions, or was about equal to that of Great Britain in 1841. We have no statistics which would warrant my venturing upon a determinate conjecture of the annual value of the fruits of the labour of this country, but I do not think there can be a doubt that they must be considerably higher—suppose even to the amount of 50 per cent. But if this be so, still the fact remains, that a much larger proportion

\* Tucker's '*Progress of the United States*,' p. 195. 1843.

of our industry is engaged in trade with foreign countries, than of the industry of America. Her exports are under twenty-five millions sterling, ours are over fifty. Of her labour, they employ one-tenth; of ours, even according to the computation I have hazarded, a seventh. \* In short, we are more dependent than any other great people upon external trade for the employment of our population.

Nor is it the fact that, as many suppose, this external trade is leaving the channels of our intercourse with Europe in order to fill those of distant, and especially of colonial markets.

In order to make good this proposition, I take the term of the thirteen latest years of which we possess the accounts—namely, from 1831 to 1843; \* and I show by the following figures the increase of our export trade,—

1. With the whole world ;
  2. With the whole world, except Europe ;
  3. With Europe alone.
1. In the year 1831 we exported to all countries of  
the world goods of the declared value of . £37,164,372  
In the year 1843 . . . . . 52,279,709  
Increase in twelve years . . . 15,115,337  
or 40·6 per cent.
  2. In the year 1831 we exported to all countries,  
except those of Europe, goods amounting to  
the declared value of . . . . . £23,523,932  
In the year 1843 . . . . . 28,295,750  
Increase in twelve years . . . 5,771,818  
or 24·5 per cent.
  3. In the year 1831 we exported, to Europe only,  
goods to the declared value of . . . £13,640,440  
In the year 1843 . . . . . 23,983,959  
Increase in twelve years . . . 10,343,511  
or 75·8 per cent.

According to this statement our trade with Europe has increased nearly twice as fast as our trade with the whole world,

\* From the Decennial Tables for 1831-40; and the subsequent single years as they have appeared.



and three times as fast as our trade with the residue of the world.

But, as single years may fluctuate from irregular causes, let us take periods of three years, in the same order as that already followed:—

1. In the years 1831-3 we exported annually to all countries, on the average, goods to the declared value of . . . . . £37,760,771  
 In the years 1841-3 . . . . . 50,431,785  
 Increase in ten years . . . . . 12,671,014  
 or 33·5 per cent.
2. In the year 1831-3 we exported annually, on the average, to all countries, except those of Europe, goods to the declared value of . . . £22,815,359  
 In the year 1841-3 . . . . . 27,087,423  
 Increase in ten years . . . . . 4,272,064  
 or 18·7 per cent.
3. In the years 1831-3 we exported annually, on the average, to Europe, goods to the declared value of . . . . . £14,945,411  
 In the years 1843 . . . . . 18,344,362  
 Increase in ten years . . . . . 3,398,951  
 or 56·2 per cent.

According to this mode of computation, the rate of increase in our European trade approaches to double that of our entire external trade; and it exceeds by more than three times the rate of increase in our trade with the other three quarters of the globe.

In European trade are included our European colonies; but of these Gibraltar alone materially influences the result; and the exports to Gibraltar are due to the commercial demand of foreign states. The condition indeed of the trade with the United States, in the years 1842 and 1843, has an unfavourable influence in the comparison: and it is also true that, on the whole, our European trade does not now represent so great an amount of British labour, in proportion to its extent, as it did twenty years or thirty years ago: but neither these nor any other circumstances, so far as I

am aware, can do more than slightly qualify the conclusions which the foregoing figures appear to establish.

The period during which this rapid extension of dealings has been going on, has been distinguished, first, by many relaxations in the commercial code of England, and increased facilities for the importation of foreign commodities ; and, secondly, by efforts on the part of almost every European power either to erect or to tighten a restrictive and prohibitory system.

In the earlier portion of the period was constituted the Customs' Union of Northern Germany ; a wise and noble scheme, if it be viewed in its internal bearings, for extending the intercourse of a great people, for maintaining its European influence, and enhancing its sentiment of nationality ; but, with respect to foreign trade, a measure of jealousy and rigour, not the less but the more grievous because its severe and in many instances crushing enactments were ushered into the world under the most alluring titles of simplicity and uniformity, and with a professed limitation of the maximum or general duty upon imports to 10 per cent. *ad valorem*.

Within the last four years, Russia, Prussia, France, and Spain—in fine, every great country of Europe, except Austria—has given increased stringency to its commercial system. Nor have the minor states in general been backward in following the vicious example. Belgium in particular worries her commerce with a succession of new restraints, now taxing iron, now cottons, now linen yarns, and at last inventing a system of differential duties upon ships, with the avowed intention of taking rank among the maritime powers of Europe ! On the other hand, the signs of a disposition to relax have been few, and generally faint. Hanover has indeed stood her ground, and Holland has even reduced her domestic tariff, which was very moderate before the reduction. Sardinia has made considerable diminutions in her customs' duties. Portugal was not unwilling, but sought too high a price, in the surrender of British revenue, for doing herself a benefit. Austria has effected some small relaxations, and, though they are small, she deserves honour for them.

On the other side of the Atlantic, it is enough to refer to the

tariffs of Brazil, adopted in 1844, and of the United States, adopted in 1842: the latter distinguished from those of the whole world in this particular, that while we are constantly assured that its main object is revenue and not protection, it admits free of all duty tea and coffee, and other articles on which revenue could be raised without any other than a fiscal effect, and imposes heavy charges only on such productions as can enter into competition with its domestic interests.

Most of the countries to which I have adverted appear to be possessed by a sentiment that they have found the philosopher's stone in a prohibitory system. They appear to have realized one of the most singular of the impostures of Joseph Smith, the leader of the Mormons, who I think professed to have discovered in the far north a people enormously rich, whose territory had, from time immemorial, been surrounded by walls of brass, that they might have no intercourse with any other nation of the earth. England, it is held, has grown rich by restriction, and now only wishes to grow richer by casting it away. Whether we relax or not, they are alike inexorable. When we maintain the restraints we find in existence, they use our conduct as their apology for inventing new ones. When we remove such restraints, they perceive only a deeper plan for bringing about their ruin by cheap production, which requires of them still more imperiously the multiplication of their repressive and prohibitory enactments.

It is needless to determine, for how much of this unfortunate policy abroad, England, by her own proceedings, at certain periods in particular, has become justly responsible. That would be a necessary inquiry if I were engaged in examining my subject for the purpose of awarding praise or blame; but it is not so. In the first place I believe that the European governments are obeying what seems to grow more and more the law of all governments, and are exhibiting the actual direction of the popular movement, often in opposition to the personal convictions of their members. Doubtless they act on what they believe to be, on the whole, for the good of their respective countries; and I entirely disclaim alike the right and the desire to censure them.

It may be true that England is the main sufferer by their pro-

ceedings. We hear much of the jealousy with which she is regarded ; we know that the flame of jealousy readily finds its necessary food, where there is a supposed collision of pecuniary interests ; but I for one utterly disbelieve that hostility to England is the root and ground of these measures. I rather view it as an unhappy, and, if I may so speak, a maladroit homage to her, that other nations show so very impetuous a desire to copy her example, and trust more to her traditions than to their own understandings.

I cannot however but believe, on the part of our own legislators of former times, that they looked to the protective system rather as a temporary stimulus to enterprise while yet in its infancy, than as a permanent and essential good—rather as a means of developing real, natural, inherent capabilities, than as an expedient for supplying the want of them. I fear that the temper now prevailing in many countries verges towards this latter, and surely most irrational, most pernicious view.

I have dwelt long on this subject of the commercial policy of foreign states, but it is one of immense moment. The power of capital, skill, industry, long established character, and connexions, sustaining English commerce, bears up against all that has been done. Sometimes the smuggler gives us a commercial remedy, in which no man should rejoice, hand in hand with a moral evil. Sometimes what we lose by new restrictions in a particular country, we gain by the diminished capacity of that country, now become a dearer producer, to compete with us in third markets. Sometimes enhancements of price, equivalent to the increase of duty, leave to the British merchant the means of continuing his business ; and the whole weight of the burden is borne by the patient public of the foreign state. Sometimes our trade staggers for a moment under the blow, and then recovers. Upon the whole, notwithstanding the sharp and rapid succession of restrictive measures during recent years, it has grown, and continues to grow, from year to year with a perverse rapidity, as if persecution were not less feeble when applied to commerce, than it is now commonly reputed to be when used against religious opinion.

But if so, it may be naturally asked, why all this anxiety? My answer is, that while I do not believe that we have been losers, relatively to the countries of which I now speak, but hold, on the contrary, that their blows have told most severely on themselves, yet I cannot doubt that the states in question have taken much from us as well as from their own inhabitants, have neutralised or contracted a thousand benefits which it was practicable to have attained, and that their policy demands from us a vigorous and steady counteraction.

But what is to be the form of that counteraction? Are we to weary them, by remonstrances, into undoing their acts? But first, as matters now stand, it is too probable that we should be interpreted by contraries, as Irish pigs are said to understand their drivers; that the earnestness of our request might be deemed the most demonstrative reason against its being granted. Secondly, to do is one thing, rapidly to undo is a very different one. We ourselves have occasion to urge this plea: we must allow it due weight on behalf of others. We cannot and ought not to expect foreign states at once to break down the lofty barriers which they have been so carefully erecting.

Shall we then counteract by retaliation? The public sentiment, I think, among us nowhere leans to such a course. For states having more contracted interests to regard, it is, I believe, in most cases, as unwise as at first sight it is seductive: for us it would be suicidal.

Shall we then pursue the daring course of repudiating at once all our own restraints, all our protective duties, high and low, and our Navigation Act from its first section to its last, in order thereby to prove our heroic sincerity, and to force a sympathy in other lands, which shall bear down every obstacle, and establish the commercial intercourse of men on the footing of universal brotherhood? This is the sentiment of an hardy minority among us; but the project, on account of its disregard of subsisting arrangements and habits, is unwise and unjust: and, what is enough for enabling us to dispense with detailed discussion upon its merits in this place, it is plainly impracticable.

There remains, I think, only one course—it is to use every

effort to disburden of all charges, so far as our law is concerned, the materials of industry, and thus to enable the workman to approach his work at home on better terms, as the terms on which he enters foreign markets are altered for the worse against him. I do not believe that this will be a losing game ; but, on the contrary, that if we steadily pursue it, then although the prohibitory policy of foreign states, or, as I should rather say, although the forced concessions of foreign governments to the anti-commercial spirit of particular classes of their subjects, may indeed and will diminish the aggregate trade of the world, they will not diminish the share of it which falls to the lot of England. They may smite, from time to time, some branch of our commerce, and it may fall as a lofty tree falls in the forest. We hear the crash, and we deplore the void ; but we forget that a thousand more are lifting their heads and spreading forth their arms with an insensible but constant growth. Even so it is in our commerce with other nations. If a new tax is laid in Germany upon the iron which our bounteous earth yields us in profusion, that tax cripples the power of the country imposing it to compete with us in every one of the hundred branches of trade to which iron is an accessory. If France doubles the duty on our linen yarns, she stimulates us to economy, and bids the smuggler thrive, she taxes her consumer, and fetters that ingenuity and taste on the part of her weavers, which are the main support of her commercial strength.

I do not mean that what is undoubtedly injurious to us is to be viewed with satisfaction because it is yet more injurious to others ; but let other nations come to be convinced that such is the tendency of their present policy, and they will spontaneously save us the trouble of expostulation, and will hasten to reverse it, for the just and natural reason which alone would warrant their reversing it—namely, not our interest, but their own. How are they to be brought to that mind ? As I think, by seeing that although we may, by one act and another, be crippled in detail, yet our aggregate commerce even with them maintains itself, and even gains further augmentation ; that while they obstruct the channel at one end, yet, as we clear it at the other, the waters find their

way in reflux as well as flux: that their purchases from us, in despite of adverse legislation, have increased with their sales to us, and that with a rapidity that none but the most sanguine would have ventured to expect. Let us have a few more years of experimental instruction, such as that which is afforded by the figures of the statement I have given of the relative growth of our trade with Europe and the world: such results cannot fail to exercise a powerful influence on the intelligence and the will of governments, and of the nations whom they rule.

It is this regard to the course of commerce and of commercial legislation in the world at large which convinces me of the wisdom of pushing further than might otherwise be necessary, or even desirable, our efforts to relieve the materials of industry from fiscal burdens, and also of endeavouring to diminish (as is just now being done in the case of sugar) the impositions upon articles of consumption, as the state may be able to afford it, and our own industry and capital, immediately engaged, to bear the operation, I do not say without alarm, but without real and substantial derangement.

I freely grant that the relief of raw materials from taxation is a different policy from that of annihilating protection: some will say a more timid, as I venture to think a more just and a less hazardous course of action. But at least it has been steadily pursued. Before 1842 we levied upon foreign commodities of that class nearly three millions and a half. Of this sum nearly 1,250,000*l.* was surrendered in 1842 and 1844. In the present year there is added another million: and at the same time nearly 800,000*l.* of taxation, analogous in its character, that is of direct charge upon glass and upon coals produced at home, is likewise given up. Only three articles belonging strictly to the class of raw materials will now remain subject to taxation: namely, copper ore, timber, and tallow: and of these the two first have been placed by the law of 1842 upon a footing much more favourable to the consumer than that on which they formerly stood. Such being the case, I think the actual policy of the country, notwithstanding exceptions and apparent anomalies, is as clear and undeniable in fact, as it is sound in reason.

I close this review with two remarks. First, I have taken no particular notice of many important changes in the laws affecting our foreign commerce, which have been adopted during the last few years, such as the universal permission to export machinery, the Corn Substitution Act, the freedom of the trade for provisioning ships, the reduction of duties in the colonial possessions of the Crown, the abolition of the system of naturalisation of goods, and the Canadian Corn Act—the last a measure of which we are not yet, I think, in a condition to form any judgment from experience. All these, however, belong to the same policy in its different aspects: they must stand or fall with it, and I need not prolong these already lengthened remarks by examining them in detail.

Secondly, in exhibiting so many figures, and traversing a ground so extensive, I am aware that even this prolonged statement must be very incomplete; and further, that besides omitting, in some cases, what is material, I may even have advanced what is erroneous. If it be so I hope, and I do not doubt, there will be found persons both able and willing to set me right; but neither in estimating relief to trade, nor surrender of revenue, nor the results of the diminution of protective duties, have I in any instance knowingly given a form or colour to my statement such as would draw from it an undue advantage for my reasoning. I have thought it necessary to state this, because in such matters figures are an instrument of dangerous and tempting power; and in order to use them justly and fairly, there is need not only of a generally honest intention, but of constant care in their application to particulars.

*London, March 15, 1845.*





# FACTS *versus* THEORY :

A RETROSPECT OF OUR PAST POLICY,

HINTS FOR FUTURE IMPROVEMENT.

BY G. R. ROBINSON, Esq.,

CHAIRMAN OF LLOYD'S,

AND LATE MEMBER OF PARLIAMENT FOR

THE CITY OF WORCESTER.

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“Cari sunt parentes, cari liberi, propinqui, familiares ; sed omnes  
omnium caritates patria una complexa est.” CICERO.

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LONDON :

SMITH, ELDER AND CO., 65, CORNHILL.

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1843.



## P R E F A C E.

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THE Author is aware that, in venturing to publish his opinions at a period of extreme difficulty and excitement, he may expose himself to misrepresentation and obloquy; but the candid reader will appreciate his motives, and give him credit for an anxious desire to improve the condition and promote the welfare of the suffering people.

His great object has been, to invite public attention to the evidence of facts rather than to engage in an angry contest on abstruse questions of political economy; on which, abstractedly, there is little difference of opinion.

The point to be decided is, whether the principles of Free Trade can be safely adopted by this country, without limitation or exception, whilst other nations persevere in a diametrically opposite course of commercial policy.

The right decision of this question is of such momentous consequence to all classes of the community, —especially to that numerous body whose only property is their daily labour,—that he who lends his humble aid to such an enquiry, may be excused for freely submitting to the judgment of the public, opinions which he has long entertained, and which he believes to have been confirmed by past experience.

THE AUTHOR.

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A

## RETROSPECT OF OUR PAST POLICY,

&c. &c.

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### CHAPTER I.

#### INTRODUCTORY.

“ Le peuple, écrasé d'impôts, était silencieusement misérable; mais qu'il commençait à prêter l'oreille aux discours hardes des philosophes qui proclamaient hautement ses souffrances et ses droits; et qu'enfin le siècle ne s'achèverait pas sans que quelque grande secousse ne vint ébranler la France et changer le cours de ses destinées.”

MADAME CAMPAN.

It may be safely assumed, that there is no man in Great Britain prepared to deny the existence throughout the country of such a state of distress and embarrassment as calls loudly upon the Government for a searching enquiry and for prompt relief.

There is no example in the history of nations of so extraordinary an anomaly as England exhibits at this moment. Possessing a fertile soil, inexhaustible stores of mineral wealth, unlimited mechanical power, a population of unrivalled skill and industry, a vast accumulation of unproductive capital, and a field for the development of all these



advantages commensurate with the vast possessions of her mighty empire, we behold trade and manufactures paralyzed, agriculture suffering from the effects of a sudden panic, and poverty extending its baneful influence over the face of the land.

Men of all parties, of every shade and degree of politics, admit that it is no longer safe to look upon the lowering of the political horizon as “a passing cloud,” obscuring for a time the sunshine of national prosperity; but as the gathering of a tempest whose fearful consequences can only be averted by a skilful pilot, aided and supported by all ranks and classes of the people.

Happily the recent disturbances in the manufacturing districts have been subdued by the firmness and vigilance of the Government: the malcontents have been awed into submission; the misguided victims of popular delusion undeceived; and the supremacy of the law has been everywhere established.

It would be madness, however, were we to deceive ourselves by the comparative tranquillity of the present moment; the causes of disturbance have not been removed; the evil lies smothered, not extinguished, beneath the surface, and it will be well for the country if advantage be taken of the restoration of peace, and the blessings of an abundant harvest, to adopt such measures as may be best calculated to improve the religious, moral, and social condition of the people on whose welfare and prosperity the security of the throne, the maintenance of the constitution, and the safety of the empire must depend.

But whilst all are agreed as to the existence of distress and the necessity of relief, great diversity of opinion prevails as to the means to be employed for that object, and conflicting discussions are carried on in a temper and spirit ill adapted to accomplish the end which all profess to have in view.

It is truly lamentable that on a subject so essential to the public welfare, the suffering and too credulous people are exposed to the delusions of ignorant and designing agitators, loud in professions of devotion to their interests, and persevering in mischievous devices to array the agricultural and manufacturing classes, and, indeed, all orders and degrees of society against each other.

I will not tax the patience of my readers by entering at length into a consideration of the various plans put forward as infallible remedies for the distress of the people; but I may briefly remark, that the People's Charter is the rallying point of a large body of the working classes; and that a change in the currency is powerfully advocated by many persons of unquestionable talent and unimpeachable integrity.

Into these questions I shall no further enter than to observe that, in my opinion, the People's Charter is a dangerous attempt to engraft the principles of democracy upon our mixed form of Government: which, if successful, would be detrimental chiefly to those who are its most strenuous supporters; and I consider this movement rather as indicative of dissatisfaction with the present order of things, than as expressing the deliberate opinion of any considerable portion of the people.

I say this with the more confidence from having been a supporter of the Reform Bill, in the hope that by restoring the balance of power amongst the three estates of the realm, the happiness and contentment of the people would have followed ; and, although now opposed to further organic changes, I am free to confess that the limitation of the franchise can only be justified by the House of Commons, as at present constituted, proving themselves the real, and not the nominal representatives of the people, and legislating for their benefit.

Whether this has been the case heretofore, I will leave others to determine ; it is quite certain that those who advocate the People's Charter, do not believe it.

The important question of the currency cannot be entered upon in the present work, even if I had the ability to discuss it. The subject has been nearly exhausted by men of the greatest talent and research, and there is an evident indisposition to disturb the existing standard of value, although it may fairly be doubted, if the present law can be much longer retained without some such change as is recommended by Mr. Salomons, in a very clever pamphlet recently published, or by the issue of small notes, under certain limitations and restrictions.

I shall now proceed to consider the question of Free Trade, which will be the subject of a separate chapter.

## CHAPTER II.

## FREE TRADE.

“ That which I have to do, is to enquire, whether it be the readiest way to knowledge, to begin with general maxims, and build upon them, or it be yet a safer way to take the principles which are laid down in any other science as unquestionable truths, and so receive them without examination, and adhere to them without suffering to be doubted of, because mathematicians have been so happy or so fair, to use none but self-evident and undeniable. If this be so, I know not what may not pass for truth in morality, what may not be introduced and proved in natural philosophy.”

LOCKE.

THERE is something so captivating in the name, and so plausible in the theory of Free Trade, that superficial minds are readily influenced in its favour, without reflecting that it can never be established amongst nations but by common consent.

The question would be greatly narrowed if its advocates would be pleased to explain what meaning and import they themselves attach to the term. Does it mean the removal of all unnecessary duties and restrictions which different states may be disposed to concede to each other upon terms of *bonâ fide* reciprocity, with the view to extend their commercial relations? — or the abandonment *by this country* of all the important interests connected with British agriculture, commerce, shipping, and manufactures, to unrestricted foreign competition in the home and colonial market, irrespective altogether of the policy of other nations?

It might be supposed that Great Britain presented the only obstacle to the realization of a commercial millennium, whereas it is notorious that, since the late war, she has made great advances in a career of liberal commercial policy, whilst other nations pursue an opposite system, having in numerous instances increased the duties and restrictions on British produce and manufactures.

Notwithstanding these indisputable facts, it is scarcely permitted to any one to express the slightest doubt of the efficacy of this nostrum without being branded as a selfish monopolist, and overwhelmed with a torrent of abuse and vituperation. Other weapons, however, must be employed to overcome the conscientious scruples of rational men, who look to practical results rather than to vague theories, unsupported by facts and contradicted by experience.

No reasonable man can be insensible to the benefits which might be derived by the extension of commerce, and the consequent diffusion of knowledge and civilization throughout the world, if all nations were disposed to take a more enlarged and liberal view of this subject ; but it is not the fault of England if greater progress has not been made in the dissemination of sound principles of commercial policy.

It is only of late years that extreme opinions on this subject have been advocated. Previously it was considered that without reciprocity there could be no freedom of trade between foreign states ; but men are now to be found who, abandoning all hope of obtaining concessions from other nations, boldly

contend that it is our interest to abolish all protective duties, and impose such only as may be necessary for revenue.

It was some time since resolved at a public meeting at Sheffield :—

“ That whilst we claim an exemption from all protective duties on foreign produce, we are prepared at the same time to abolish all protective import duties on foreign manufactures; and are anxious that the idea of protecting trades or agriculture by means of import duties should be altogether abandoned, and that such duties should be employed only as a convenient means of raising revenue for the State, and their amount be regulated with reference to that single object.”

This, at least has the merit of being an intelligible proposition, but its adoption could not fail to diminish employment, lower wages, and greatly aggravate existing evils.

It is said and believed by many that the authority of the late Mr. Huskisson may be appealed to in support of such extravagant opinions, but I shall have occasion to refer frequently to the recorded sentiments of that statesman to prove that they afford no sanction whatever for the doctrines maintained by some of his pretended disciples.

By the Reciprocity Duties Bill, advantages were offered to all countries disposed to act upon a system of reciprocity; but authority was reserved to the King in Council to continue existing restrictions, with respect to those powers which should decline so to

act; and on the 25th March, 1825, I find the following remarks by Mr. Huskisson,—clearly demonstrating that, in his opinion, reciprocity was an indispensable element in a system of Free Trade :—

“ At the same time, as a stimulus to other countries to adopt principles of reciprocity, I shall think it right to reserve a power of making an addition of one-fifth to the proposed duties upon the productions of those countries which may refuse, upon a tender by us of the like advantages, to place our commerce upon a footing of the most favoured nations.” And, in the alteration of the navigation laws, care was taken to secure, by express stipulations and provisions, equal rights and privileges to British navigation, in the ports of such nations as acquired similar advantages in this country.

I find also, on a motion for the production of the American tariff on the 18th July, 1828, Mr. Huskisson said :—

“ A man must be blind to the interests of this country who should consent to deprive Government of the means of promptly meeting the effect of such restrictive measures, by corresponding regulations here. If we were not in a condition to vindicate ourselves, there was at once an end of all equality; nor could we account satisfactorily to other countries with which we were still allowed to trade on terms of fair reciprocity, for the tame endurance in injury. Neither was it consistent with the dignity of a great commercial nation like this, to sit in apathy and affect not to feel the impediments thrown in the way of its commerce.”

\* \* \* “ There was another important  
 “ consideration : that, if the United States pursued  
 “ this course, and drove us to other countries for a  
 “ supply, now almost all their own, we should see  
 “ that supply brought to this country *in English bot-*  
 “ *toms, and thus employing British industry.* \* \* \*

“ With respect to the present tariff, he would say  
 “ to Ministers, Do not be hasty to determine ; look  
 “ at the various bearings of the question with the  
 “ view to your interest, your character, and your  
 “ trade : but if, after such deliberation, they were  
 “ forced to adopt a course of retaliation, all he would  
 “ enjoin them was, that when they had adopted the  
 “ course they should adhere to it with firmness.”

Having thus referred to the recorded sentiments of Mr. Huskisson, I shall leave to the advocates of extreme opinions on Free Trade to reconcile their views on this subject with the wise and judicious policy of the greatest authority in such matters which they can produce.

I may also mention, that the late Lord Sydenham, (to whose authority I am not disposed to yield so decided a deference,) when the Leeds manufacturers complained to the Board of Trade that they were menaced by France with increased duties on yarns, twists, &c., declared that such a measure would be followed by reprisals on the part of this country : and, further, that when the duties on olive oil were reduced, he (Lord Sydenham) especially exempted Naples from its operation, because the ministers of that country had refused to modify its tariff.

I could adduce many other proofs to the same effect, but shall only refer to the ~~statutory~~ <sup>legislation</sup> of the



present Ministry on the tariff bill of last year, that they considered it wise policy to reserve the consideration of the duties on sugar and wines as the means of effecting an advantageous arrangement with the Brazils and Portugal,—a declaration scarcely consistent with the gratuitous concession of the corn and timber duties.

The whole course of our commercial policy has been a tissue of anomalies and inconsistencies, and we cannot justly complain that it has led to the most unsatisfactory results.

In ordinary cases, it would be considered incumbent on the advocates of Free Trade to point out the advantages which this country has derived from the changes already made, and from which so much benefit was confidently predicted; and here I must quote the speech of Mr. Huskisson on the 25th March, 1825, on the celebrated “Prosperity Budget” of Mr. Robinson, (now Earl of Ripon,) President of the Board of Trade.

“Let foreign countries see him (the Chancellor of Exchequer) year after year largely remitting public burdens, and, at the same time, exhibiting a prosperous Exchequer, still flowing to the same perennial level; and I have no doubt, when the governments of the Continent shall have contemplated for a few years longer the happy consequences of the system on which we are now proceeding, that their eyes will be opened. They will then believe (but at present they do not) that we are sincere and consistent in our principles, and, for their own advantage, they will then emulate us in our present career.”

Such were the delusive hopes so confidently expressed by Mr. Huskisson in 1825. Instead of an overflowing Exchequer, we have an *Income Tax in time of peace*. Foreign countries have had full time and opportunity to contemplate the happy effects of the system we have pursued ; their eyes are not opened, though we have been consistent in our principles, and they will not believe that it is for their advantage to emulate us in our prosperous career.

Having thus adverted to the flattering predictions of 1825, let us turn to the authority of the Common Council of the City of London, seventeen years afterwards. The following Resolution was passed by that body at the close of last year ; it is, I believe, somewhat overcharged, but unhappily it presents a tolerably faithful picture of the state of the country.

“ Resolved : That the continued and increasing  
 “ depression of the manufacturing, commercial, and  
 “ agricultural interests of the country, and the wide-  
 “ spreading distress of the working classes, are most  
 “ alarming : manufactures without a market, and ship-  
 “ ping without freight ; capital without investment,  
 “ trade without profit, and farmers struggling under  
 “ a system of high rents, with prices falling as the  
 “ means of consumption by the people fail ; a work-  
 “ ing population rapidly increasing, and a daily  
 “ decreasing demand for its labour. Union houses  
 “ overflowing as workshops are deserted. Corn  
 “ Laws to restrain importation, and inducing a starv-  
 “ ing population to regard the laws of their country  
 “ with a deep sense of their injustice.”

It would be presumptuous to ascribe this melan-

choly state of things wholly to alterations in our commercial policy: it must not, however, be forgotten that these alterations were constantly in operation during the whole period referred to; and that they were always accompanied with confident assurances of returning prosperity.

This should operate as a check to the false prophets who go about deluding the people with fallacious hopes, and as a caution to those who have so often been deceived and disappointed.

It is well known to have been the object of every British statesman, since the peace of 1815, to enlarge our commercial relations with France, a country whose geographical position, with relation to Great Britain, would admit of an extensive commerce between the two most powerful and commercial states in the world, that could not be otherwise than beneficial to both; but the jealousy and prejudice which for many years survived the war, together with the influence of the manufacturing interests in France, interposed insuperable obstacles to the consummation of an object equally desired by enlightened men in both countries. We had set the example by removing the prohibition on silks and gloves, and by reducing the duty on French wines nearly one-half, when another experiment was made by Lord Althorp in 1831, by an equalization of the duty on wine imported from all foreign states. The effect of this measure was a further reduction of duty on French wines, and an addition to those imported from Portugal.

By this suicidal act, the much abused Methuen Treaty was terminated, and, with it, the exclusive

privileges and commercial advantages which British subjects had enjoyed in Portugal for more than a century.

From that period our merchants and commerce have been exposed to constant vexations and restraints by the Portuguese Government, while France, in whose favour the alteration was made, not only maintains her prohibitory tariff, but threatens us with additional duties.

It is worthy of remark that, although our imports from France subsequent to the first reduction of duty on French wines had increased nearly two millions, the exports to that country had diminished during the same period nearly half a million—a practical answer to those who contend that the opening of our markets to any Foreign State necessarily leads to a corresponding export to the same country.

At the time when this specimen of Free Trade legislation took place, England may be said to have enjoyed a monopoly in the markets of Portugal and the whole carrying trade between the two countries, including a valuable commerce with Newfoundland, whose fisheries were, in a great measure, supported by the exclusive supply of Portugal with dried cod-fish.

On the other hand, owing to the restrictive system of commercial policy continued by France, whose ports are contiguous to our own, our exports to that kingdom with a population of thirty millions, were less by 2,000,000*l.*, than those to Portugal whose population scarcely amounted to three millions.

In justice to myself, and to shew that the Govern-

ment were fully warned of the injurious effects of this measure, I shall give the following extract from my speech in the House of Commons on the 11th July, 1831.

“In the year 1825, the Government reduced the  
 “duty on French wines 7s. per gallon, or nearly one-  
 “half; and the argument used in favour of that  
 “reduction was, that it would produce an extension  
 “of the exports of British manufactures to France.  
 “Would the House believe that the Noble Lord  
 “(Althorp) overlooked the fact, that, although our  
 “imports from France since the last reduction on  
 “the wines of that country had increased from  
 “1,500,000*l.* to 3,150,000*l.*, the exports had dimi-  
 “nished during the same period from 1,124,000*l.* to  
 “643,000*l.*: and let the Noble Lord, before he  
 “effected any further reduction in the duty, bear  
 “the fact which he had stated in mind.”

“The present amount of the exports of this coun-  
 “try to Portugal was in round numbers 2,500,000*l.*,  
 “and the amount of imports 500,000*l.*; in point of  
 “fact, this country almost possessed the exclusive  
 “supply of Portugal.”

“He did not know whether, if the proposed alte-  
 “ration of the duty were made, the present Go-  
 “vernment of Portugal would adopt commercial  
 “reprisals. He should rather suppose that, under  
 “the rule of Don Miguel, none would be attempted;  
 “but if ever a constitutional party gained ascendancy  
 “in that country, the House might depend upon it  
 “that they would be the first to recommend a sys-  
 “tem of commercial restrictions which would hazard  
 “the present advantages derived from the trade,

“and probably cause it to be lost altogether to this country. . . . The trade to Portugal, which was now about to be sacrificed, was more than equal in value to the whole exports to France, Sweden, Norway, Denmark and Prussia. All these countries excluded our manufactures. Portugal received them, and the consequence was that the trade with Portugal exceeded the trade with all these countries united.”

How far these predictions have been verified, a reference to facts will abundantly prove.

It is now understood that, in order to regain a portion of the trade thus wantonly thrown away, our Government proposes to lower the duty on Portuguese wines, which, by re-establishing an inequality, would, perhaps, afford to France a pretext for complaint, if not for new pretensions in the course of our protracted negotiations with that country for a commercial treaty. My unfeigned respect for the Author of the Bill just referred to, and the estimation in which he is justly held, as an honest and upright statesman, prevents me from characterizing it in appropriate terms; but it may fairly be denominated a gross blunder, perpetrated in opposition to every principle of sound commercial policy, and in defiance of full warning and past experience.

By this and similar acts of a Machiavelian Policy, we have proclaimed to the world that our Commercial system in no degree depends on the course pursued by other nations. We have, in fact, hoisted the standard of Free Trade without reciprocity; abolished, or reduced duties on foreign produce by

Acts of Parliament, without any, the slightest attempt to obtain an equivalent.

By offering equal advantage to all States, whether they admit or exclude our manufactures, we remove the most powerful motive they might have to reciprocate with us, and directly encourage them to persevere in a system of anti-commercial policy.

Foreigners are fully aware of our position. They know our anxiety for the extension of our commerce and manufactures, and are the more resolutely determined to protect their own; especially as it is seen that concessions to this country are not required to procure for them access to the markets of Great Britain, so much desired, and so essential to their commercial prosperity.

The cries of our manufacturing districts find a ready echo throughout the presses of the Continent. By proclaiming our dependence on foreign trade, their Governments are the more determined to encourage domestic manufactures, and employ domestic industry; and there is no doubt, in my mind, that much of the existing embarrassment and distress has been occasioned by our own vacillating and mistaken policy.

I may be told in derision that foreigners do not give us their goods for nothing, and that by opening our ports freely to their produce, we shall necessarily increase our own exports. If this be admitted, it still follows that they can exclude from their markets all articles not required to promote their manufacturing and commercial industry. They now take from us raw materials, and articles in the first stage of manufacture, to supply their own

fabrics : they admit our coal, our iron, and machinery, because all these enable them the better to provide for their own wants, and compete with us in other markets ; and they would drain the country of its bullion, and create such a derangement of the monetary system, as could not fail to produce the greatest embarrassment and confusion.\*

Although it will be found that considerable jealousy of the power and political influence of England prevails in other countries, I am disposed to attribute their commercial policy to an instinct of self-preservation, rather than a feeling of hostility. The object is to promote their independence of Foreign States, and supply their own wants by the encouragement of domestic labour. They consider, also, that the acquisition of wealth should be subordinate to the paramount obligation of national justice and humanity, and that the end and aim of all good government is to provide for the wants of the people.

I cannot forbear mentioning here a remarkable instance of the chivalrous feeling of a Minister of this country on commercial matters.

After the restoration of Ferdinand to the throne of Spain, I accompanied a deputation of merchants who waited on Lord Castlereagh, (then Foreign Secretary,) to represent that the return of peace afforded a favourable opportunity to obtain from Spain some relaxation of her commercial tariff. The minister's

\* If by a reduction of duty on Foreign Manufactures, ten millions were added to our imports, and a corresponding increase in the export of twist yarn, or other articles produced by machinery, the wealth of the country might be augmented, but this would be at the expense of the labouring classes.



reply was characteristic. His Lordship thought that such a claim might be considered as the price of our co-operation with Spain during the late war, unworthy the magnanimity of a great nation; so that this "nation of shopkeepers," as we had been designated by Napoleon, after having profusely lavished its blood and treasure in all parts of the globe, and subsidized half Europe in the cause of freedom, was too proud to seek the slightest compensation for a heavily burdened and impoverished people.

The history of our colonial commercial policy, will furnish abundant evidence of similar folly and infatuation. These bright ornaments of the British Crown were wont to be considered of the greatest value to this country, as marts for the consumption of British manufactures, and nurseries of seamen for the defence of the empire:—but the new school of philosophy has taught us, that we should no longer make the trade between the mother country and her dependencies, and the international trade of the British Colonies, subservient to each other for the benefit of the nation at large; or employ British shipping in the intercourse of our possessions; but that foreign vessels may be substituted, without prejudice to our commerce, or means of defence, and this, too, in the absence of all reciprocity from those States in whose favour such concessions are made: in fact, the fable of the bundle of sticks is declared to be an idle tale, without a moral; and we are gravely told that our difficulties may be surmounted by fomenting jealousy and hostility between all the great interests of the nation, and

those whose welfare and prosperity are inseparably connected with them. It has even been asserted that commercial treaties are so much waste paper, unworthy the attention of British Statesmen, notwithstanding the constant efforts of all other nations to foster their domestic trade, and extend their Foreign commerce by mutual concessions and arrangements with other powers.

Colonel Torrens has pointed out with his usual ability and perspicuity, the relative advantages of the home and colonial trade, and of our commerce with foreign countries.

“In estimating the peculiar advantages of the  
 “home trade, we should always remember that by  
 “each operation it confers a twofold benefit. When  
 “one person gives his exclusive attention to the cul-  
 “tivation of the soil, while his neighbour and coun-  
 “tryman confines his attention to working up its  
 “produce: then the mercantile industry by means  
 “of which the division of employment can alone be  
 “established, at one and the same time, augments  
 “the productive powers both of domestic agriculture  
 “and of domestic manufactures. But when any  
 “individual cultivates the soil and exchanges its  
 “produce for wrought goods imported from abroad,  
 “then the mercantile industry by which the inter-  
 “national divisions of employment are established,  
 “at one and the same time, augments the productive  
 “powers of domestic agriculture and of foreign  
 “manufactures. Thus, then, it is demonstrable that  
 “in every transaction of the home trade, the whole of  
 “the benefits resulting from the consequent division  
 “of employment remains in this country, while, in

“such transactions of the foreign trade, a part of  
 “the benefit will belong to foreign countries.”—  
*Wealth of Nations.*

If the burden of taxation could be removed from industry and the revenue raised by any plan of direct taxation on the property of the nation, we might be able to enter into free competition with other countries where taxation is light and labour cheap; but, if I am not greatly mistaken, the opening of our ports to the unrestricted importation of foreign agricultural produce, and manufactures under the existing financial system, would greatly aggravate the evils of inadequate employment and low wages. In short, Free Trade, to be beneficial to the working classes, should be preceded by a complete change in our system of taxation, so as to comprehend within its operation the vast capital of the nation, and thereby lessen its pressure on productive industry. It is this conviction, I believe, which has led the labouring classes to keep aloof from the meetings of the Anti-Corn Law League, and refuse their sanction to its proceedings.

These remarks lead me to a consideration of the Report of the Import Duties' Committee, which must be presumed to have produced some effect on the commercial policy of the present Government.

After a careful perusal of the evidence I am willing to admit that some valuable information has been elicited, and that the Report contains some suggestions of practical utility; but the labours of the Committee have failed to establish the policy of abandoning the principle of protection to British industry; on the contrary, they have confirmed in my

mind the conviction that Free Trade, without reciprocity, and unaccompanied by a change of taxation would increase the pressure on the labouring classes.

This Committee was appointed "to inquire into the several duties levied on imports into the United Kingdom; and how far those duties are for protection to similar articles, the produce and manufactures of this country, or of the British possessions abroad, or whether the duties are for the purposes of revenue alone."

It was composed of the following members :

Mr. Hume,	Mr. Wm. Duncombe,
Mr. Tuffnell,	Mr. Ormsby Gore,
Mr. Wm. John Blake,	Sir Geo. Sinclair,
Mr. Ewart,	Mr. Labouchere,
Mr. Thornely,	Sir Cha. Douglas,
Mr. Wm. Williams,	Mr. A. Chapman,
Mr. Villiers,	Sir Henry Parnell,
Sir Geo. Clerk.	

The Committee sat fifteen days, and examined twenty-nine witnesses.

It appears that Sir George Sinclair and Mr. Labouchere never attended. Mr. Duncombe was present once only; Sir George Clerk, twice; Mr. Ormsby Gore, and Mr. Blake, three times; and the enquiry may be said to have been conducted by Messrs. Hume, Tuffnell, Ewart, Thornely, Williams, and Sir Henry Parnell. The opinions of all these gentlemen were well known, and the selection of witnesses, and course of the examination, clearly shew that their minds were made up on the subject; but the most remarkable feature in this enquiry,

which embraced considerations of such vast importance to the interests of trade, commerce, shipping, and agriculture, was the absence of the President of the Board of Trade, who must have been nominated by the House of Commons, from his peculiar fitness for such a task, and the advantage that might have been expected from his official character, in securing a full and impartial investigation.

I advert to these circumstances to shew that this enquiry was of an *ex parte* character ; almost the only attempt at cross-examination being on the part of Mr. A. Chapman, on questions chiefly connected with the shipping interests, of which he is a zealous and consistent supporter. I am therefore warranted in saying that the whole proceedings are of little value in determining the merits of the important questions examined by the Committee, and that the Report is inconsequential and inconclusive.

It is not my purpose here to attempt an analysis of the whole evidence, but the following extracts will shew that the commercial policy of other states is governed by considerations altogether independent of our Corn Laws or protective system ; and also the precarious tenure of our foreign trade, and the hopelessness of putting down the growing competition of foreign manufactures :—

Mr. McGregor, in answer to question 32, states ;  
 “ Similar (cotton) manufactures have been produced  
 “ there (Germany) so cheap, that the Americans  
 “ now purchase very largely for the purpose of ex-  
 “ porting, not only to the United States, but re-  
 “ exporting again to South America and the East  
 “ Indies.”

Answer to question 303 :—“ The state of the  
 “ Swiss manufactures now is such, that their cotton  
 “ goods come into competition with ours, and meet  
 “ us with very great advantage in our eastern  
 “ markets ; and they are sent to the United States,  
 “ and to the Brazils, in very large quantities.”

Answer to question 312 :—“ The fact is that, al-  
 “ though the Prussian manufactories do not produce  
 “ goods to come into consumption in the United King-  
 “ dom, yet they produce goods so cheaply, that  
 “ they are meeting us in the markets of the world :  
 “ they are producing a superabundance of the light  
 “ goods of the same kind as we should send into  
 “ Prussia, and consequently from that quantity of  
 “ production of their own they do not require ours,  
 “ *and will not have them.*”

Answer to question 313 :—“ It is not the Prussian  
 “ Tariff that shuts out our articles ; it is the fact  
 “ that *the articles they require are produced in such*  
 “ *superabundance by themselves that they export*  
 “ *largely.*”

Answer to question 332 :—“ I would admit them  
 “ (stockings) at an equitable duty, not exceeding  
 “ 10 per cent., *whether that would destroy the trade*  
 “ *at Leicester and Nottingham or not ;* but even if it  
 “ did, I should say that *it would be better for the*  
 “ *whole country to subscribe sufficient to support all*  
 “ *those people at home who are now being employed in*  
 “ *that manufacture, than to continue a tax in per-*  
 “ *petuity in this country ; it would be humanity*  
 “ *towards the manufacturers themselves.*”

Dr. Bowring, in answer to question 757, states :—  
 “ That the changed nature of our exports to that

“country (Germany) is very remarkable. *They formerly consisted wholly of manufactured articles, cottons and woollens, ready to be cut into garments; but though the amount of our trade with these countries has not diminished, they now take a very different species of commodities. Of cotton prints there is scarcely any exportation, but there is a greatly increased demand for cotton twist. So, again, for woollen goods, there is a very considerably diminished demand, but a large increased demand for woollen yarns. For all the materials which have undergone the first process of manufacture the demand has increased, but the tendency of this system is more and more towards the imports of the raw material.*”

Answer to question 832 :—“I believe at this moment the cotton frames of Saxony are equal, if they do not exceed in number, those of this country.”

Answer to question 847 :—“The principal object of the French Tariff, is to protect the French manufacturer, and to exclude every thing which competes with him in the home market. In all the investigations which have been carried on in France for the purpose of modifying their tariff previous to the very late discussions of our commissioners, the object avowed and declared was, that the purpose of the tariff was to exclude every foreign article which could be produced at home.”

Answer to question 873 :—“My opinion is, that it would be advantageous to take off all protecting duties, and no longer manufacture those articles in

“ this country which could be produced cheaper  
 “ from other countries.”

Mr. McGregor, in answer to question 1087 :—  
 “ Taking all kinds of corn and meal, I estimate that  
 “ we should receive, at least, from *eight to ten*  
 “ *millions of quarters* every year.”

Mr. J. D. Hume, in answer to question 1361 :—  
 “ It is my decided opinion, that the working men of  
 “ this country, so large a portion of whose wages are  
 “ taken from them in taxes, ought not to have any  
 “ protection at all against the cheaper productions of  
 “ other men, of countries that comparatively pay  
 “ no taxes. I think the small amount of taxes  
 “ paid by persons abroad is no ground for giving  
 “ protection to the commodity here ; for this reason,  
 “ that it is only, in such a case, shifting the taxes  
 “ from the party intended to be relieved to others  
 “ here who are to be the consumers of those com-  
 “ modities. You cannot throw the taxes on  
 “ foreigners, but only on other British subjects.”

Answer to question 1364 :—“ *I would place the*  
 “ *working men of this country on the same footing, or*  
 “ *nearly the same footing, as the workmen of other*  
 “ *countries.*”

Answer to question 1393 :—The progress in manu-  
 “ factures which is observable abroad, is such, that  
 “ unless we do take some strong measures in this  
 “ country, for the purpose of putting our population  
 “ upon a natural footing, and therefore upon nearly  
 “ the same footing as their competitors, I do look  
 “ forward, with considerable apprehension, to the  
 “ trade of this country suffering considerably : that  
 “ is a reason, in my mind, for taking off all protec-



“ tions, and is a very different operation from that  
 “ which would go to the imposing protective duties  
 “ for the express purpose of re-imbursing particular  
 “ interests for the taxes which they pay in ordinary  
 “ consumption. The foreign manufacturers have  
 “ shown that they can make the goods: it requires  
 “ time to enable them to make enough to supplant  
 “ us.”

Answer to question 1411:—“ I am strongly of  
 “ opinion that all our colonies would be able to com-  
 “ pete with the world, and to become exceedingly  
 “ prosperous, *if they themselves had Free Trade*  
 “ *offered to them: and, having granted that boon to*  
 “ *them,* I think it would be wholly unnecessary to  
 “ support them by any protection on their commo-  
 “ dities in this country. *At the same time I must be*  
 “ *understood, that they must be colonies that are placed*  
 “ *in all respects upon an equal footing with those coun-*  
 “ *tries which produce similar commodities.* I cannot  
 “ conceive, that having thirty years ago abolished  
 “ the slave-trade, and now abolished slavery itself,  
 “ *that any question of Free Trade can arise between*  
 “ *Jamaica and Cuba; Cuba, with abundance of rich*  
 “ and fresh soil, not only having the advantage of  
 “ employing slaves, whatever that may be, but no-  
 “ toriously importing the enormous amount of 40,000  
 “ or 50,000 slaves every year: they have, in fact,  
 “ the slave-trade and slavery; and the laws of this  
 “ country have deprived the planter in Jamaica of  
 “ that means of raising his produce. *I conceive that*  
 “ *is a question, like several others, that are taken*  
 “ *entirely out of the category of Free Trade.* I con-  
 “ sider, for instance, that our navigation is interfered

“ with by the laws which are made for the support  
 “ of the commercial marine, for the benefit of the  
 “ state marine ; and, therefore, *I conceive the naviga-*  
 “ *tion question is not, except beyond a certain extent, a*  
 “ *question of Free Trade.*”

Mr. Joseph Walker, in answer to question 1534 :  
 —“ I think the manufacturers of the Continent  
 “ generally, I believe chiefly of Belgium, are com-  
 “ peting with us,” (in hardware).

In answer to question 1535 :—“ We export those  
 “ articles (hardware), and have to meet the foreign  
 “ manufacturer in neutral markets, and have there to  
 “ sell at the same prices, with all our expences  
 “ added. Those we meet upon neutral ground, with  
 “ equal expences, as in the United States, and then  
 “ we are obliged to sell at his prices, or lower, to  
 “ get a trade. We cannot do without these foreign  
 “ orders, and if the foreign manufacturer does occa-  
 “ sionally take the lead, and beat us there, our  
 “ merchants are without orders. I receive orders,  
 “ occasionally, under these conditions,—that I must  
 “ supply the goods at such a price—at a less price  
 “ than I have done heretofore.”

Answer to question 1538 :—“ The Germans  
 “ and Belgians are our chief competitors in South  
 “ America ; but we have understood that there has  
 “ been some hardware sent from Spain and Portugal  
 “ that we have had to compete with ; and our orders  
 “ have been suspended, from their prices being  
 “ lower than ours, till we have lowered our prices,  
 “ which is the next effect, *and our wages are lowered*  
 “ *till we can supply goods as cheap as they do*  
 “ *theirs.*”

Answer to question 1609 :—" Many of our men go to Belgium machine making."

Answer to question 1611 :—" The best men go."

Mr. A. Johnston, in answer to question 1636 :—" I am met myself, in Havannah, a neutral port, by the manufacturers of Germany and the manufacturers of France, and the manufacturers of Prussia."

Answer to question 1637 :—" It is increasing every year."

Answer to question 1663 :—" I know that the Americans are making progress in the cotton manufactures. I met their manufactures in foreign markets."

Answer to question 1674 :—" We find their (the United States) competition most in plain cloths and domestics, but they are beginning to send to their markets other kind of goods. We have had patterns of American manufactures lately from Chili, coloured goods, and in fact they are improving year after year, and sending to their markets goods more valuable, and competing more and more with our manufactures."

Mr. J. B. Moore and Mr. J. C. Saunders, in answer to questions 1880 and 1885 :—" German hosiery in particular has competed with our own manufactures in the Brazils. Foreign unbleached cottons are imported largely from the United States, and printed muslins from the Continent, and a good many prints from Switzerland and France."

Mr. J. B. Smith, in answer to question 2026 :—" The export of cotton manufactures to Russia in

“ 1820, were 702,125*l.*; in 1838, they had fallen off to  
 “ 59,137*l.* Germany and Prussia in 1820*l.*, were the  
 “ best customers we had for cotton goods: our ex-  
 “ ports to those countries in 1820, were 2,969,493*l.*;  
 “ in 1838, they had fallen off to 887,296*l.* Our ex-  
 “ ports to the United Netherlands in 1820, were  
 “ 979,681*l.*; and in 1838, they had fallen off to  
 “ 661,557*l.* Another effect of the restriction has  
 “ been to change the character of our trade with  
 “ those countries. We now export a great increase  
 “ of the raw material, instead of manufactured  
 “ goods. Our exports of cotton twist to Russia in  
 “ 1820, amounted to 494,306*l.*; in 1838, they had  
 “ increased to 2,265,602*l.* To the United Nether-  
 “ lands our exports of cotton twist in 1820, were  
 “ 55,261*l.*; in 1838, it had increased to 1,876,269*l.*  
 “ A large portion of the cotton twist shipped to the  
 “ United Netherlands finds its way up the Rhine to  
 “ Germany.”

Answer to question 2035 :—“ The Germans have  
 “ become manufacturers of cotton, and woollens, and  
 “ hardware to a great extent, and we now supply  
 “ them with cotton yarn, where we formerly supplied  
 “ them with cotton cloth.”

Answer to question 2037 :—“ The effect of the  
 “ German union tariff entirely excludes the coarser  
 “ fabrics.”

Answer to question 2161 :—“ The effect of the  
 “ continuance of our present protective system, I  
 “ think will be most injurious to the working classes.  
 “ *Our population is increasing at the rate of 1000 souls*  
 “ *a day, and unless we have the markets open to us, it*  
 “ follows, as a matter of course, that the competition

“ for labour must daily increase, and *as the competition for labour increases, the rate of wages will fall.*”

Mr. J. F. Gibson's answer to question 2321 :—

“ At the time the prohibition upon French manufactured silk was taken off, the duty upon the raw and thrown article was materially reduced, and *I attribute to that circumstance, more than any other, the great increase of the trade.*”

Mr. G. R. Porter's answer to question 2736 :—

“ If the value is separated according to the degree of labour bestowed upon it, it will be found that the proportions (of exports) to the colonies in 1827, much labour 84·09, little labour 15·91. In 1838, much labour 84·55, little labour 15·45, showing very little difference between the one period and the other ; whereas to foreign countries the shipments were in 1827, much labour 81·95, against 18·05 of raw material, and in 1838, the proportions were, of fully manufactured goods 69·72, and of raw materials 36·28. *It is a striking difference.*” Separating further the shipments to Northern Europe, which is the most important part of the world, as regards our foreign commerce, with the exception of the United States of America, it will be found that the proportions are in 1827, much labour 61·78, little labour 38·22. In 1838, much labour fallen to 39·16, and little labour advanced to 60·84. The actual amount of shipments in 1827 and 1838 to British colonies, to foreign countries generally, and to Northern Europe was as follows :—to British colonies in 1827, much labour, 8,840,268*l.*, little labour, 1,672,956*l.*; total, 10,513,224*l.*; in 1838, much

“ labour 11,647,793*l.*, little labour 2,128,242*l.* ;  
 “ total, 13,776,035*l.* To foreign countries generally  
 “ in 1827 ; much labour, 21,856,208*l.*, little labour  
 “ 4,811,903*l.* ; total, 26,668,111*l.* : in 1838 ; much  
 “ labour 25,297,903*l.*, little labour 10,987,032*l.* ;  
 “ total, 36,284,935*l.* To Northern Europe in 1827 ;  
 “ much labour 5,272,085*l.*, little labour 3,261, 178*l.* ;  
 “ total, 8,533,263 : in 1838 ; much labour 4,616,002*l.*,  
 “ little labour 7,170,339*l.* ; total, 11,786,341*l.* The  
 “ result is, that the falling off is in manufactured  
 “ goods when much labour is employed, and which  
 “ it is of course, most important to us to export.”

I agree with the Report that our tariff presented  
 “ neither congruity nor unity of purpose,” and that  
 “ no general principles seem to have been applied,”  
 but I disagree with the opinion, that there is reason  
 to believe “ the liberalizing the Tariff of Great Britain  
 “ would lead to similar favourable changes in the  
 “ tariffs of other nations.” This, in fact, is no longer  
 a matter of opinion, as, subsequent to the Report,  
 a very considerable reduction has been made on the  
 import duties in favor of foreign commerce, without  
 the slightest reciprocity from other countries ; many  
 of which have since increased their restrictive and  
 prohibitory system.\*

I agree with the Report that “ the best service  
 “ that could be rendered to the industrious classes  
 “ of the community would be to extend the field for  
 “ labour and of demand for labour.” But I do not  
 agree “ in the view taken by the committee as to  
 “ the most effectual means of accomplishing that  
 object, which, so far as I am able to comprehend,

\* See note at end—“ Six Hostile Tariffs within Ten Months.”

means, the surrender of the home and colonial markets to unrestricted foreign competition without any security or reasonable hope of obtaining free access to the markets of other countries.

I am disposed to agree with the committee that, "as speedily as possible the whole system of differential duties and of all restrictions should be *re-considered*;" but I do not believe that, throwing open our colonies to the trade of other nations, would advance the interest of British commerce and navigation.

I coincide with the committee in thinking that our Tariff may be simplified and the duty on certain articles reduced, not only without injury to the revenue, but with a great saving in the cost of collection and the further advantage of removing many causes of vexation and complaint; but I do not believe that "our example will produce those happy effects on the world at large" which the committee are sanguine enough to expect in the teeth of all past experience: although I am as anxious as any one of its members can be "to consolidate the great interests of peace and commerce by associating them intimately and permanently with the prosperity of the whole family of nations."

With regard to the alterations of the Tariff last year, I am inclined to believe that some of them were judicious: others of very doubtful utility, and that many were mischievous and impolitic.

The modification of the Corn Laws and of the duty on cattle and other articles of food may be justified, with reference to the deplorable condition of large masses of the people: and unless these

changes shall be found to operate prejudicially on the permanent interests of British agriculture (which I do not believe,) they must be beneficial to the community at large.

The removal of all duties on articles which are essential to our manufactures was called for by considerations of sound policy and expediency ; but I am unable to discover, in the present state of our manufacturing population the slightest excuse for reducing the duties on foreign manufactured articles, such as brass, copper, pewter, steel, tin, boots, shoes, hats, linen, cotton, woollen, china, tallow candles, or carriages : which, by substituting articles of foreign manufacture in our own markets, must have the effect of lessening employment and lowering wages.

Nor do I believe that the alteration of the timber duties will afford those advantages to the general consumer which were anticipated, whilst, it is calculated to affect the shipping interests and the colonies of British North America, besides the loss of half a million to the revenue.

I am aware that the prevalent opinions in favour of Free Trade are considered to be sanctioned by the recent acts of the present Ministry and by a declaration of Sir Robert Peel's that it is our interest to "buy in the cheapest and sell in the "dearest market," a maxim that may be true as applied to individuals, but of very doubtful policy in the government of nations, even if it were practicable. No one knows better than the Right Honourable Baronet that he may frame laws which enable the independent classes to employ cheap foreign labour in preference to native industry, but,



without the concurrence of other governments he cannot establish freedom of trade abroad or, in other words, "sell in the dearest markets."

This phrase, therefore, which he has condescended to borrow from a very inferior authority, is altogether unmeaning unless it can be shewn by what process we are to overcome the prejudices and scruples of Foreign nations.

In fine, Free Trade, in its most comprehensive signification, appears to me the mere chimera of dreaming philosophy, a pleasing vision, to be realized only when jarring interests, mutual jealousies, and national prejudices shall cease throughout the world.

## CHAPTER III.

## CORN LAWS.

“ Nothing can compensate a people for a dependance upon others for the bread they eat; and that cheerful abundance, on which the happiness of every one so much depends, is to be looked for no where with such sure reliance as in the industry of the agriculturist, and the bounties of the earth.”—*Message of President of the United States, Dec. 1839.*

HAVING devoted the preceding chapter to the question of Free Trade generally, I proceed to offer some remarks on the Corn Laws, in connexion with that subject.

This important branch of the inquiry demands the most calm and deliberate consideration, with the view to such a settlement of the question as may be most conducive to the permanent interest and welfare of all classes of the community.

I freely admit, that all the arguments used in favour of Free Trade apply with peculiar force to the removal of restrictions on articles of consumption for the subsistence of the people, and that taxes on the necessaries of life can only be defended on considerations of national policy so strong as to justify their imposition.

I can only discover two reasons for a continuance of the Corn Laws : first, the necessity of securing a sufficient supply of food at home, independently of a precarious dependence on foreign markets ; and, secondly, the encouragement of British agriculture as a never-failing source of employment for a large

portion of our redundant population. The capital engaged in land is entitled to the same protection as all other property, neither more nor less.

If I could be satisfied on both these points, I would readily agree to a total but gradual repeal of these laws.

With respect to the policy of protecting agriculture, as the means of securing at all times a sufficiency of food for the people, I cannot dismiss from my mind the apprehension that an habitual dependence on foreign states, for any considerable portion of this necessary of life, might, in the event of a bad harvest at home, concurrently with a deficiency of corn in other countries, place us in a most critical and dangerous position. I do not mean so much with reference to the possibility that our supplies might be cut off, as to the difficulty there must be in such a case to obtain them at all. It is, therefore, worthy of some consideration, how far a reasonable protection to British agriculture may not be justified on far higher considerations than cheapness, although it must be admitted that this is a most important object. Without offering any decided opinion on a difficult and speculative question, I would remark, that the advocates for repeal appear to attach little importance to this branch of the subject.

The effect of repealing the Corn Laws on the employment of the people, and on the wages of labour, seems to me too palpable to admit of dispute; and I have no doubt whatever, that cheap bread would be dearly purchased by such a diminution in the demand for labour, and in the rate of

wages, as would inevitably follow so sudden a change in our general policy.

We are told, indeed, that the abolition of the Corn Laws would necessarily produce a revival of manufacturing prosperity; but it is difficult to discover, in the absence of any substantial evidence how this is to be effected, except by reducing the wages of labour (which is disclaimed), or by reciprocal arrangements with other countries, that might admit of our manufactures being exported on profitable terms.

It is not doubted that a momentary impulse would be given to British manufactures by a Free Trade in Corn. Extravagant hopes would be raised, and gigantic efforts made to force a demand in markets already glutted, which would be followed by reaction and disappointment; and, if I am not greatly mistaken, the manufacturers would find to their cost that they had seriously injured the home market without attaining the desired object. Agricultural depression and embarrassment would be superadded to manufacturing distress, and both would press upon the labourers and operatives with increased severity.

Dismissing for a moment the just claims of the agricultural capitalist to the consideration of the Legislature, I would ask, have the small proprietors, the farmers, and rural labourers no interest in the preference given to British grown corn in the home markets?

Do the manufacturers forget, in the eager pursuit of a foreign trade, who are their best, most constant, and valuable customers? and that the free admission of foreign corn into the markets of this

country at all times, from every part of the globe, must be followed by a serious derangement of the capital and labour employed in British agriculture, and directly or indirectly affect the whole community?

It is possible that exaggerated notions exist in the minds of some, as to the permanent consequences of a repeal of the Corn Laws, but the immediate effect can scarcely be overstated. Many estates would pass into the hands of those who had fixed money-charges on the land, numerous small independent proprietors would be reduced to a state of poverty, most of the existing leases on land would be virtually cancelled, and in the hopeless struggle of the landowners to maintain their rents, the farmers and agricultural labourers (the weaker parties) would be the greatest sufferers.

It is really surprising, that intelligent men, such as Dr. Bowring, Mr. Buckingham, and others, should go about spreading the delusion that foreigners are desirous of exchanging their surplus produce for the manufactures of this country, without explaining, that, although individuals would be willing to do so, they are prevented by the policy of their respective Governments; and, notwithstanding it suits their purpose to throw the whole blame of restricted foreign commerce on the Corn Laws, they know perfectly well, that it is quite as much owing to the Tariffs of Foreign States, and to their determination to adhere to them: indeed, as I have already shown, this country is much less to blame.

I own I should consider that Dr. Bowring had earned a better title to the liberality of the country

had he succeeded, in a single instance, to establish an advantageous commercial treaty with any Foreign State, or even to produce a tangible proof of the desire of any one of the *Governments* he has visited, to enter into arrangements with us on terms of *bonâ fide* reciprocity. It is true, we have been entertained with stories of his interviews with the distinguished politicians of other states, who, questionless, have been as greatly amused as the Doctor appears to have been highly flattered;—but the only practical results that I have been able to discover from these missions, are confined within the blue covers of the votes and estimates of the House of Commons.

The schoolmaster has been abroad, but the wily Muscovite, the polished Frenchman, the philosophic German, the haughty Spaniard, the jealous Portuguese, and the shrewd Yankee refuse to be instructed; neither will they “listen to the voice of the charmer, charm he never so wisely.”

I do not pretend to say what might be the effect of a Free Trade in Corn, accompanied by the free admission of our manufactures into foreign markets, because there is not the slightest probability of such an arrangement; but much might be effected by a right understanding of our mutual interests, especially with the United States of North America, the Brazils, and with Spain; and I hope the attention of the Government will be directed to these objects.

It may be worth while to refer to Mr. Huskisson’s opinions on the Corn Question, on the 5th of May, 1814:—“Notwithstanding the importance that was

“ attached to the importation of grain, it was an  
 “ ascertained fact, that in no one year had more  
 “ than about one-tenth, or one-twelfth of the whole  
 “ consumption been drawn from foreign countries.  
 “ *If no foreign corn had been imported, the nation*  
 “ *would have saved sixty millions sterling.* It might  
 “ be said, that without this importation, sixty  
 “ millions worth of our manufactures would have  
 “ remained unsold ; but then, it is not recollected  
 “ what those sixty millions would have effected, if  
 “ they had been expended in the improvement of  
 “ our agriculture ; *or what increased means of pur-*  
 “ *chasing our manufactures, they would have given to*  
 “ *agriculturists.* If on being laid out at home, they  
 “ had produced these natural effects, then the  
 “ country would have added to her means of inde-  
 “ pendence, and have created a market *of which*  
 “ *no external revolutions could have deprived us.*

“ Circumstances over which we had no control,  
 “ had tended to improve the agriculture of England.  
 “ Continental exclusion had advanced the cultivation  
 “ of our own lands ; and the high prices occasioned  
 “ by such exclusion had rendered us independent  
 “ of foreign aid. Now, when we had paid the price  
 “ of our independence, and produced a supply equal  
 “ to our consumption, would it not be wise to pre-  
 “ vent any great revolution, which would destroy  
 “ the domestic culture of the country, and render it  
 “ more dependent than it had ever been ?”

“ He would not stop to enquire whether it was  
 “ sound policy to suffer any great country to be  
 “ dependant on another for an essential article of  
 “ subsistence ; *but it must be obvious that such an*

*“ advantage would be readily seized on by any Power, and used to the annoyance of the nation that exposed itself to such an evil.”*

“ A double evil was felt by the farmer, from the decrease in the price of corn :— *The labourer was thrown out of employ, and became chargeable to the parish ;* and thus, while the farmer had his means diminished, he was called on for additional outlay in the charge of poor-rates. The argument of lowering the rents might be resorted to, but this could not be effected in all cases. It was certainly desirable that they should not go on increasing ; but the House would see that, in reducing the price of land and corn, the country would sustain a loss of capital.”

Again, on the 23rd February, 1815 : — “ First principles had been alluded to ; but first principles, as well as other principles, must depend upon positive circumstances and relative situations for the mode in which they were to be applied. *If this was an untaxed country, if we had no poor rates, if a perfect freedom of trade existed in every branch of Commerce, the arguments of the Honorable gentleman would be irresistible.”*

“ *It had been said that the price of provisions had no influence upon the wages of the labourer. This was a novel theory, and one which scarcely deserved refutation, for nothing could be more obvious than that, in the long run, the one must affect the other.”*

These sentiments of a statesman, remarkable for his experience, acuteness, and profound knowledge,



are seen to be entirely, and to all intents and purposes at variance with the shallow philosophy of the new school ; and should it be objected that they were delivered at a remote period, when the circumstances of the country were somewhat different, I shall refer to another speech of his in 1825 ; in which he makes a distinction between agriculture and manufactures in regard to protection, in favour of the former.

“ It was said, that to withdraw our protection  
 “ from the manufactures of the country, and to  
 “ continue it to the growers of corn, was acting  
 “ upon an erroneous system. He doubted this posi-  
 “ tion entirely, and contended that, reasoning from  
 “ analogy, in a case like the present, must neces-  
 “ sarily lead to an erroneous conclusion. In the  
 “ first place, we could manufacture cheaper than  
 “ any other country ; but every other country could  
 “ grow corn cheaper than we could. In the next  
 “ place, we exported to the amount of thirty mil-  
 “ lions of cotton, annually, and not thirty bushels  
 “ of corn. Then there was no accumulation of  
 “ cotton on the Continent ; but there was an accu-  
 “ mulation of corn. When there was an accumu-  
 “ lation of cotton, the manufacturer could contract  
 “ his supply ; but could a similar measure be adopt-  
 “ ed by the agriculturist, when there was an accu-  
 “ mulation of corn ? ”

And on the 2nd of May, 1826, Mr. Huskisson said, “ He knew that *if anything greatly depressed the price of corn in the home market, it would only lead to a further aggravation of our difficulties and distresses.* ”

The working classes appear to me to have a paramount interest in the maintenance of reasonable protection. The fortunate possessor of realised property, or a fixed annuity, may consider himself interested in the substitution of cheap foreign articles in our own markets ; but, that numerous body, whose only means of subsistence are derived from employment, would be exposed to a fearful struggle with untaxed foreign labour and machinery.

As “the League,” in the plenitude of its wisdom and assumed authority, has pronounced in favour of “a repeal,—the whole repeal,—and nothing but the repeal,” it is useless to argue, with such a body, on the advantages of a sliding scale, as compared with a fixed duty ; but, as the British Parliament is not yet superseded in its high functions as the supreme authority of the state, and the legitimate organ of public opinion, it may be well to consider for a moment, this branch of the subject.

The sliding scale must be admitted to be an anomaly in our fiscal system that can only be defended by the peculiar object and policy of the Corn Laws, which were framed expressly to exclude foreign grain when our markets were adequately supplied at home, and to admit it at a nominal duty when required to supply the deficiency. Of course, I am now addressing myself to those who admit the principle of protection.

The sliding scale, even as amended last session, may be objectionable ; but it is calculated to support the British corn grower from such a depression in prices as might be the effect of unrestricted importation in seasons of general abundance ; and, on

the other hand, to prevent the injurious consequences resulting from a deficient harvest at home, unaccompanied by the admission, at a nominal duty, of supplies from abroad.

If the British agriculturist was in a better position to compete with the foreigner, so that a duty of 2*s.* 6*d.* were a sufficient protection, there can be no doubt that a fixed duty would be preferable both to the farmer and the merchant; but it is tardily admitted that the duty of 8*s.* proposed by the late Government could not be maintained in a time of scarcity; therefore the uncertainty would still continue, whilst the sudden transition, by the removal or reimposition of an 8*s.* duty, would be a fruitful source of loss and complaint, besides that it would cast upon the executive a serious responsibility.

On this point, too, I am fortified by the authority of Mr. Huskisson, who on the 22d April, 1828, said —“ An honourable gentleman had spoken in favour  
“ of a fixed duty. Abstractedly that might look well  
“ enough; but when they regarded the circum-  
“ stances of the country and the wants of the  
“ people, they would see the impossibility of adopt-  
“ ing such a principle. If a high protecting duty  
“ were imposed, then, in a period of scarcity, the  
“ poor would be exposed to sufferings and miseries,  
“ the infliction of which no claims for protection on  
“ the part of the home corn growers could ever jus-  
“ tify. For the advantages, then, which the grower  
“ foregoes when corn is high, by the admission of  
“ foreign grain he receives compensation by the im-  
“ position of a higher rate of duties when corn is at  
“ a low price. He receives, in fact, only that re-

“muneration to which he is justly entitled. When  
“legislating upon this subject, they were bound to  
“look to the different and varying circumstances of  
“the country, and to the wants and necessities of its  
“inhabitants. *A permanent fixed duty was, therefore,*  
“*out of the question.*”

On the whole, I have not the slightest doubt that the Bill of last Session was a great improvement on the plan of the late Government; and, before any further essential change is made on a question of such vital importance, I trust the Legislature will take time to test its efficacy by longer experience; and, at all events, when it is pressed upon their consideration, that its whole bearings will be looked at with calmness and deliberation, unawed by clamour, and uninfluenced by prejudice or selfish interests.

## CHAPTER IV.

## POOR LAWS.

"The condition of the labourer is hard in the stationary, and miserable in the declining state. The progressive state is, in reality, the cheerful and the hearty state to all the different orders of society."

ADAM SMITH.

I ENTER upon this subject with great reluctance, from an anxiety to avoid all unnecessary topics of angry feeling or irritation ; but it is inseparable from the actual state and condition of the people, and its consideration indispensable in an enquiry of this nature.

Whatever difference of opinion there may be as to the abstract merits of the New Poor Law, I cannot hesitate in declaring that it was an ill-timed and injudicious experiment on the patience and forbearance of the people at a period of great difficulty and distress.

I say this with the more regret, knowing the great names and high authorities arrayed in its support. I well remember that the bill was introduced with the ostensible view of promoting the independence and elevating the moral character of the labouring classes ; but, looking at the wonderful unanimity which prevailed on the subject amongst the different parties in the Legislature, I believe that its chief recommendation was its supposed tendency to lessen the burden of the poor rates, which had seriously

increased, owing to the pressure of the times, and the mal-administration of the Old Poor Law.

This was undoubtedly a legitimate, but subordinate object. The measure has now been in operation eight years, and I ask any fair or reasonable man if it has not disappointed the hopes of the rich, and exasperated the feelings of the poor; if it *has* raised the character or promoted the independence of the working classes; if it *has* increased their wages or added to their comforts, and if it *has* had the effect of lessening the evils of bastardy, and the crime of infanticide? In short, whether it has not signally failed to accomplish every object contemplated by its authors?

When this bill was introduced, it must have been obvious to the most superficial observer of passing events, that such was the pressure on the labouring classes, that some decided measure of relief was absolutely necessary.

The abuses of the old law were the consequences, not the causes of distress; but the Legislature, in its wisdom, thought it expedient to pass a more stringent measure, which consigned age and infancy, poverty and crime, to a common workhouse, where the best feelings and ties of nature were disregarded, and from whose walls the sympathy of friends, and the superintending care of their natural guardians and protectors, were effectually excluded.

It soon became evident that this bill could not be successfully opposed. The prejudices against the old system were so strong, that men were blind to the vices and defects of the new measure. In vain was it urged by the small minority who, consci-

entiously and consistently opposed it in every stage, that it was inadequate to its proposed object, unjust in principle, harsh in its provisions, and that, in its operation, it would aggravate and not relieve the distress of the people.

Instead of such a bill of pains and penalties, measures should have been adopted to lighten the pressure upon the rates by improving the condition of the people, and steps taken, concurrently to amend the gross abuses in the administration of the Old Poor Law.

So strong was the conviction on my mind of the impolicy and injustice of this bill, that, on the motion for going into committee, I placed the following resolution on the journals of the House rather as a solemn warning and protest against the measure, than in the hope of its being carried.

On the 14th May, 1834, Resolved,—“That the  
“Report of the Poor Law Commissioners affords  
“conclusive evidence of the deplorable condition  
“of a large portion of the working population,  
“highly detrimental to the interests of all classes  
“of the community, and especially injurious to the  
“honest, well disposed and industrious poor.

“That in order to supply an effectual remedy to  
“long standing and complicated evils so deeply  
“affecting the well being of society; it is the  
“bounden duty of a just and enlightened legisla-  
“ture, when proposing to enact new laws with  
“extraordinary powers for the suppression of idle-  
“ness and vice, cautiously and deliberately to look  
“into the causes which have operated or contributed  
“to produce a state of widely spread pauperism,

“ demoralization, and crime, alien to the habits and  
 “ feelings of a nation, otherwise in a state of un-  
 “ exampled wealth and improvement, and blessed  
 “ by Divine Providence with the greatest abund-  
 “ ance.”

“ That this House, therefore, will, by all possible  
 “ means endeavour to improve the moral and social  
 “ condition of the labouring poor, by the promotion  
 “ of beneficial employment, the encouragement of  
 “ industry, and the removal of those burdens which  
 “ press upon the productive classes with peculiar  
 “ severity, in order to restore that harmony, good-  
 “ will and respect for the constituted authorities,  
 “ which alone can render the nation prosperous and  
 “ happy.”

Eleven members voted for this resolution, and one hundred and thirty-four for going into committee. Lord Althorp merely objecting that it consisted of mere truisms ; notwithstanding which it was deemed inexpedient, for obvious reasons, to give them the sanction of the House of Commons.

All that could be done, during the future progress of the Bill, was to modify in committee some of its harsh and most objectionable provisions, in which I lent my feeble aid ; and on the 27th of June my opposition to the measure was declared in the following terms :—

“ I know that in pronouncing this strong and de-  
 “ cided opinion, I may expose myself to the charge  
 “ of offering a vexatious opposition ; but I do so,  
 “ because I have a rooted objection to the measure.  
 “ I consider that we ought, either contemporane-  
 “ ously with, or previously to the introduction of



“ this Bill, to have adopted some measure to im-  
 “ prove the condition of the poor. If we had done  
 “ so, perhaps we might have adopted some similar  
 “ measure ; but when you proceed with this coer-  
 “ cion Bill, I fear you will find that you are begin-  
 “ ning at the wrong end, and that this will be  
 “ another addition to the immense list of failures we  
 “ have already experienced. Like my noble friend  
 “ who preceded me, I shall maintain my consis-  
 “ tency by voting throughout the progress of this  
 “ measure for every clause which may in any de-  
 “ gree ameliorate its harsh and rigorous features.”  
 And on the third reading I considered it my duty to  
 protest against the final passing of the bill, in the  
 following terms :—

“ I feel it a duty which I owe, not only to my  
 “ constituents, but to the country at large, to ex-  
 “ press my opinion in the last stage of this measure,  
 “ and to make a few observations in explanation of  
 “ my reasons for opposing this bill.

“ I would beg to ask of honourable gentlemen,  
 “ who are favourable to the measure, whether they  
 “ have heard from myself, or any honourable mem-  
 “ bers who think with me, any expression of appro-  
 “ val of the present administration of the Poor Law.  
 “ We admit that the increased pauperism of the  
 “ country is to be attributed in a great degree to the  
 “ mal-administration of the Poor Law, coupled with  
 “ many peculiar circumstances which affect the  
 “ lower orders of the community ; but we deny that  
 “ the powers proposed to be given to the Commis-  
 “ sioners will remedy the evils complained of.

“ The bill proceeds on this principle, that every

“ man, whatever may be the cause of his poverty,  
 “ or the circumstances under which he finds himself  
 “ unable to support his family by honest industry,  
 “ has no alternative but the workhouse. The Noble  
 “ Lord will say that, in cases of emergency, the  
 “ Commissioners have the power to afford out-door  
 “ relief; but this provision was not contained in the  
 “ bill as it originally stood. This shews the princi-  
 “ ples on which the Commissioners have proceeded ;  
 “ and had we been disposed to adopt their sugges-  
 “ tion, they would have left to the poor man no  
 “ alternative but the workhouse or starvation. That  
 “ was to be the portion of all those persons who  
 “ could not obtain a living by means of their labour.

“ If you introduce a general system of pauperism  
 “ throughout the country you will aggravate instead  
 “ of removing the present evils. Does it follow  
 “ that because the existing system is bad, that  
 “ therefore the present bill must be good ? No such  
 “ thing ! We may all of us admit the evils of the  
 “ present system, but honestly disagree as to the  
 “ remedy. Even the Commissioners themselves  
 “ state, ‘ We entertain no hope that the complicated  
 “ ‘ evils with which we have to contend will be  
 “ ‘ eradicated by the measure that we now propose.’  
 —“ One of my objects in proposing the resolution,  
 “ which I submitted to the House on a former occa-  
 “ sion, was to consider how far the evils of the poorer  
 “ classes arose out of the inequality of taxation, and  
 “ the state of the Corn Laws, or other circum-  
 “ stances affecting the interests of the labouring poor.

“ I am not more anxious than others to contribute  
 “ to poor rates ; but with all the evils of the present

“ system, I would much rather pay my quota than seek to be relieved by such a bill as this.”

“ It may be very well to talk of bringing back the Poor Laws to what they were in the time of Elizabeth ; but can you bring back the condition of the country to what it was at that period ? We had no debt then—we had no machinery. I will not now go into that question ; but I do not believe that machinery benefits the lower classes, in the same proportion as it benefits the higher ranks of society. The wealthy classes can now do much better without the assistance of the labourers than they could formerly. The establishment of a central board, in lieu of a dispensation of the poor rates by the overseers, may in some instances diminish the amount ; but it will be productive of great hardships ! ”

“ This bill takes away from the poor man the only consolation which he has in his poverty ; it isolates him from his wealthy neighbours, and, at the same time, tells them that they have no longer any need to trouble themselves about the condition of the poor, that the Legislature has transferred their duties to paid commissioners, who have no knowledge of the circumstances of any one parish, and who are tied down by certain rules of their own making.

“ I entertain the most serious objections to this bill, and I am satisfied that ere many months shall have elapsed, the Legislature will be called on wholly to repeal it, or to make such alterations as will render it acceptable to the great body of the people.”

Notwithstanding my condemnation of this measure, I have never presumed to impugn the motives of its supporters, nor hesitated to render justice to its authors, who evinced no ordinary courage in grappling with a question which they well knew was unpopular with many of their friends, and would be looked upon with great jealousy by the poorer classes. Neither can I join those who endeavour to cast the responsibility and unpopularity of the measure exclusively on the late Administration, as it is notorious that the present Government, and many of its adherents are amongst the most strenuous supporters of the New Poor Law.

It was, however, a task beyond the reach of human sagacity to devise any system of Poor Law to provide against the permanent want of employment, and consequent destitution of large masses of the people; or to frame a measure equally applicable to the varying condition of the labourers and operatives in the rural and manufacturing districts of the country; in fact, the great mistake was in not striking at the root of the evil, by the adoption of vigorous and effective measures of relief, in which case the humane provisions of the Act of Elizabeth, modified to meet the altered state of society, might have been continued under a better system of management.

I believe many supporters of the New Poor Law are now convinced that it must be extensively modified, if not repealed; and I am persuaded that the present Government will act wisely in submitting the whole question to the reconsideration of the Legislature, in order that a law may be framed

better suited to the existing condition of the country, and less repugnant to the feelings of the people; such a measure as may recognize and secure the just claims of indigence and poverty, and the equitable rights of property, and, at the same time, reconcile the interests and feelings of the rich and poor.

## CHAPTER V.

## TAXATION.

“ With regard to his own imputed squeamishness about the property tax, he should merely say, that it had been his object only to point out how the mode of levying such a tax, in these times, ought to differ from that introduced at the period of the war. He had merely expressed a doubt whether the community would ever right itself without receiving some greater relief than could possibly be administered by a direct repeal of taxation.”

MR. HUSKISSON.

I HAVE always considered the weight of taxation, and the severity of its pressure on the most helpless and feeble class of the community, to be one of the master grievances of the poor, and a chief cause of their increasing distress.

Under this impression, as early as the year 1833, I submitted to the House of Commons a motion for “ a commutation of the taxes,” which was successfully resisted, and on the 30th April following I again renewed the subject in these terms, as reported in Hansard :—

“ During eighteen years of peace various devices had been tried with the view to relieve, first one class of the people and then another, and he wished to know whether, at this period, the people were still to be dragged through other years of difficulty and experiments before a property tax was imposed ; for it seemed to that tax we must come at last, since the very words of the noble Lord (Althorp) only went to say, that it

“ could not be adopted at present. He did not  
 “ wish to press the House or the country into the  
 “ adoption of such a measure, except so far as it  
 “ seemed to him most likely to relieve the burdens  
 “ of the people. As soon as there was any reason-  
 “ able hope of an amelioration in the condition of  
 “ the people, he should be willing to forego the pro-  
 “ position; but, till that was the case, he should  
 “ certainly support it; and *he believed that the causes*  
 “ *which affected the prosperity of the people are rather*  
 “ *likely to continue than abate.*”

These predictions have been too faithfully verified. Our difficulties have not only continued, but have fearfully increased under an oppressive system of indirect taxation; and after an ineffectual attempt, by the late Finance Minister, to bolster it up by the addition of 5 per cent. on the customs duties, it has fairly broken down, and his successor has been compelled to resort to an income tax to supply a serious deficiency in the Exchequer.

Sir Robert Peel, in a previous debate, had declared—“ That nothing but a case of necessity could  
 “ justify Parliament in subjecting the people of this  
 “ country, in time of peace, to the inquisitorial pro-  
 “ cess which must be resorted to in order to render  
 “ that impost productive; and, to have recourse to  
 “ such a machinery for the purpose of raising two  
 “ or three per cent. would be most unwise. Such a  
 “ tax was a great resource in time of necessity, and,  
 “ therefore, he was unwilling, by establishing the  
 “ offensive inquisition with which it must be accom-  
 “ panied, to create such an odium against it as might

“ render it almost impossible to resort to it in time of  
“ extreme necessity.”

This quotation is not offered in proof of inconsistency on the part of the right honourable baronet. The “ time of necessity ” to which he referred had occurred before his accession to office, and he is entitled to unqualified praise for taking a bold and manly course to meet such an emergency.

In saying this, it must be understood that I merely intend to express my approval of the principle of an income or property tax, without entering into any of the details of the late measure, or attempting to justify the conduct of all those employed to carry it into effect.

My object is to show the great repugnance felt to the imposition of a property tax, which it had been long evident to me, was the best, if not the only course, by which a prompt and effectual remedy might be applied.

In proposing a commutation of the taxes, I have never pretended that this or any other single measure could entirely remove evils of such long standing and inveteracy. It would, however, greatly mitigate the sufferings of the people, and, in its effects, I believe the wealthy classes would be more than compensated by the additional security and enjoyment of their property. Neither am I insensible to the almost insuperable difficulty which prejudice and selfishness interpose in carrying into effect any extensive scheme of commutation.

The country must be convinced of the expediency or necessity of such a course, before any minister could propose it to Parliament with a fair chance of



success, and the reason of my perseverance in bringing the subject before the House of Commons was, that no less objectionable course was proposed.

Although no one will venture to deny that taxing the necessities of life to such an extent is cruel and unjust; it is, nevertheless, stoutly defended on the plea that it is impossible to levy a property or income tax that would operate with perfect equality: and, also, that such a tax is vexatious and inquisitorial. These specious and plausible objections find a ready acceptance with men, who, in reality, prefer that the taxes should be paid by any body rather than themselves.

To such objectors I would answer, that a monstrous and oppressive inequality already exists, and that a fair and equitable tax on property would lessen that inequality, and thereby lighten the pressure of taxation, with the further advantage of simplification and economy in the cost of collection. Is it then to be seriously contended, when millions are pining in want and misery, that the objections of the selfish or the scruples of the fastidious, are to be nicely weighed against the tears and sufferings of the naked and hungry? The poor consumer is not consulted as to his willingness or ability to pay the taxes, which are so ingeniously mixed up with the necessities of life, that he cannot satisfy the wants of his family without contributing to the demands of the exchequer, and thus he is unconsciously made the tax gatherer of the state.

Seeing little chance of relief or improvement, I made a last effort, on the 24th March, 1836, by

moving the following resolutions to record my opinions on the journal of the House of Commons :—

1. “ That the public income is raised by taxes  
 “ imposed during the exigencies of war, or under  
 “ circumstances so inapplicable to the present state  
 “ of the country, that a revision of our financial sys-  
 “ tem would be highly beneficial to the nation at  
 “ large.

2. “ That the revenue is chiefly levied on articles  
 “ of necessary consumption, by which the burdens  
 “ of the people were enormously increased, and  
 “ their comforts diminished, without any corres-  
 “ ponding benefit to the state ; the trader and retail  
 “ dealer being obliged to charge a profit on the duty  
 “ and the prime cost.

3. “ That the excise laws and regulations inter-  
 “ fere most injuriously and oppressively with various  
 “ branches of trade and manufactures, with the em-  
 “ ployment of labour and capital at home, and with  
 “ the freedom and extension of commerce, and that  
 “ they greatly raise the cost of subsistence to the  
 “ labouring classes of the community.

4. “ That the unequal pressure of taxation is in-  
 “ creased by the levy of an uniform duty of customs,  
 “ without reference to the value of various articles of  
 “ the same denomination.

5. “ That the stamp, legacy, and probate duties  
 “ are most unjust and partial in their operation on  
 “ transfers, obligations, securities and other instru-  
 “ ments of small value, compared with those of  
 “ larger amount ; and that a considerable portion of  
 “ the wealth of the nation is altogether exempt from

“ the legacy and probate duties charged upon other  
 “ descriptions of property.

6. “ That, by so impolitic and complicated a state  
 “ of finance, the cost of collecting the public revenue  
 “ is greatly enhanced and the burdens of the people  
 “ further augmented.

7. “ That the return to a gold standard in 1819,  
 “ followed by the suppression of small notes in  
 “ England and Wales, has materially changed the  
 “ relative condition of the productive classes and of  
 “ those who possess the wealth and capital of the  
 “ nation.

8. “ That for these reasons it is the bounden duty  
 “ of this House, not only to repeal and reduce tax-  
 “ ation to as great an extent as may be compatible  
 “ with the maintenance of the national credit and  
 “ the necessary demands of the public service; but  
 “ also closely to investigate the whole state of our  
 “ finance, with the view to such judicious alterations  
 “ as may relieve the labour and industry of the  
 “ country, and comprehend within the range of  
 “ contribution to the public service, all property  
 “ protected by the state, without distinction or ex-  
 “ ception, so that the pressure of taxation may be  
 “ lightened by a more just and equal distribution of  
 “ the public burthens amongst all classes of his Ma-  
 “ jesty’s subjects.”

A single glance at the customs and excise laws, the stamp act and the legacy and probate duties, is sufficient to show the glaring partiality of these imposts. The taxes on tea and sugar, besides being greatly disproportionate to the cost of these necessary articles, are so levied, that the coarsest and cheapest

qualities pay the same duties as the finest and most costly. The stamp acts present a similar anomaly, and the legacy and probate duties are still more partial and unjust ; in fact, the same vicious principle runs through the whole of our financial system, which appears to have been framed to meet the exigencies of the moment, with no other object than to raise money with as little trouble and difficulty as possible.

Adam Smith has laid down the only just and humane principle for the guidance of statesmen on this subject, in the following words :—

“The subjects of every state ought to contribute  
 “ towards the support of the Government as nearly  
 “ as possible, in proportion to their respective abilities ; that is, in proportion to the revenue which  
 “ they respectively enjoy under the protection of the  
 “ state ;” adding that, “in the observance or neglect  
 “ of this maxim, consists what is called the  
 “ equality or inequality of taxation.”

It would be difficult to estimate the immense loss and injury to the nation by our total neglect of this simple rule. The strong prejudice against direct taxation has forced upon successive Governments the adoption of an odious and oppressive excise, and the imposition of high duties on articles of necessary consumption, which, upon every principle of justice and sound policy should have been taxed as lightly as possible, if not wholly exempted.

It is evident, from the language of the prime minister last session, that the income tax was only resorted to because experience had shown that the taxes on consumption had been pushed to their

utmost limit, and had ceased to be productive ;\* and yet, before it has fairly come into operation, a cry is attempted to be got up for its repeal.

Mr. Huskisson had very early foreseen our growing difficulties, and entertained great doubts of overcoming them without some such change as I have recommended. On a motion of Mr. Davenport's on the distress of the country, in 1830, Mr. H. said :—

“ When I am addressing you upon a subject of  
 “ such deep importance, I feel myself bound, by a  
 “ sense of public duty, be the consequence to  
 “ myself personally what it may, to state a strong  
 “ doubt (I wish to put it no higher), whether we  
 “ shall afford adequate relief without removing a  
 “ larger amount of the taxes which press directly  
 “ upon income arising from capital engaged in indus-  
 “ try, and upon the income of labour, to which that  
 “ capital gives employment ; transferring, as far as  
 “ may be indispensable, the burden upon all that  
 “ class of income which arises from capital not so  
 “ employed.”

To form a just estimate of the force of this language, it must be recollected that Mr. Huskisson had been a member of the Government, and that he spoke under the conviction that he might again be charged with the responsibility of office.

It may be said that the remarks of Mr. Huskisson apply rather to a tax on property than to an income tax ; but to levy a tax on all realized property and

\* “ I cannot consent to any proposal for increasing taxation on the great  
 “ articles of consumption by the labouring classes of society. I say, more-  
 “ over, I can give you conclusive proofs that you have arrived at the limits  
 “ of taxation on articles of consumption.”

*exempt income derived from professions, trade, or other casual sources altogether, would be a still greater hardship and injustice than the present income tax.*

A professional man, or merchant with 10,000*l.* or 15,000*l.* a-year, can much better afford to contribute to the support of the state, than another who may be possessed of 150*l.* a-year derived from real property, and yet a property tax would apply to the latter, and exempt the former: any attempt to make a distinction on account of the source from which income is derived, or to levy a graduated tax would be attended with still greater difficulty.

Whilst the country was prosperous and continued to enjoy the benefits of an extensive and profitable foreign trade, the labourers and operatives were enabled, by full employment and sufficient wages, to provide the necessaries of life for their families and sustain the public revenue—but this is no longer the case: and, unless we can open a new field of lucrative commerce with the East, and extend our commercial relations with other countries, I see no prospect that the income tax will be repealed: on the contrary, it is more likely to be increased now the machinery is established; and if this was done simultaneously with a repeal of the assessed taxes and the duties on the chief articles of subsistence, I believe that it would be attended with great benefit to the community at large.

It is true that, since the war, taxation has been reduced to a considerable extent, and that the selection for reduction has in many instances been judicious: but the existing burdens press with greater

severity on the failing resources of the industrious classes than at any former period :—witness, diminished wages, increasing toil, the substitution of infant for adult-labour, and the employment of females in the most degrading and debasing occupations. It, therefore, appears to me impossible that taxation on the necessities of life and the corn laws, can co-exist much longer : indeed, there is little doubt that the reluctance of the wealthy classes to submit to any direct tax on property, has greatly contributed to the demand for a repeal of the corn laws ; in the mean time, the increasing pressure on the people is drying up the sources of national wealth and re-acting on those who persist in maintaining an unjust and impolitic financial system.

## CHAPTER VI.

## CONCLUDING REMARKS.

“The final view of all rational politics is to produce the greatest quantity of happiness in a given tract of country. The riches, strength, and glory of nations : the topics which history celebrates, and which alone almost engage the praises, and possess the admiration of mankind, have no value further than as they contribute to this end. When they interfere with it, they are evils ; and not the less real for the splendour that surrounds them.”

PALEY.

It will be observed, that in considering the present state of the country, I have studiously avoided party names and distinctions ; a subject of so much gravity and importance requiring the most calm and deliberate investigation and an abstinence from every topic likely to produce anger or irritation. Having, in this spirit, pointed out, in the preceding chapters, as they appear to me, some of the faults and mistakes of government and legislation ; their baneful effects on the condition of the people and the fallacy of depending too much on the commercial policy of foreign states, I would willingly leave to other and abler hands to suggest the means by which our present embarrassments might be lessened or overcome.

This is a task of much greater difficulty than to detect the errors and imperfections of the past ; but it will be expected, that in treating on this subject, I should not be altogether unprepared to offer some hints for future improvement.



The first step towards amendment is to make ourselves thoroughly acquainted with the causes which have led to the present state and condition of the country, and, secondly, to determine by all the means in our power to apply such remedies as may be within the reach of human foresight and wisdom.

We must not flatter ourselves that long-existing and deeply-seated evils can be cured by palliatives or temporary expedients; nor even that effectual relief to the suffering people can be afforded, without large sacrifices on the part of the wealthy classes; indeed, I should altogether despair of much good being effected, if I did not believe that the Government is deeply impressed with the conviction that steps must be taken suitable to the exigency of the occasion, and, also, that the Prime Minister has the courage and firmness to carry out such measures as may be deemed necessary to accomplish this object.

The case is pressing, and the time propitious. Late events have broken up the old combinations of party, and the strength of the present ministry consists in the impossibility of forming out of its scattered fragments the elements of a new combination sufficiently powerful to obstruct the Government.

It is also to be hoped, that, at length the leading men of all parties, looking at the magnitude of our present difficulties, see the necessity of a truce to the unseemly conflicts which have, heretofore, incapacitated the Legislature for the beneficial discharge of its high functions, and greatly lowered its character and authority in the estimation of the public.

Let the people witness an administration zealously

occupied in promoting the true interests of the empire, and the welfare of the community at large, seconded in this laudable object by their representatives in Parliament, and we may at least hope that this great nation will soon reap the inestimable benefits of domestic peace, confidence and prosperity. In contemplating our actual condition, let us not forget that the resources of the British empire are inexhaustible ; they require only to be wisely applied and rightly directed. The whole course of our future legislation should have for its object to improve the social and physical condition of those who constitute the main strength and wealth of the country.

In the science of government specious theories, alike inapplicable to the artificial state of society and to the settled policy of foreign nations, must no longer be preferred to the lessons of wisdom and past experience, and advantage must be taken of every circumstance to extend and consolidate the national interests.

It will not be supposed that I am indifferent to the distress of the operative manufacturers, or insensible of the great importance of our foreign trade : but it seems doubtful if, in future, we can reasonably expect a profitable return for the immense capital, or full employment and remunerating wages for the vast population which have sprung up in our manufacturing districts in more prosperous times. It appears to me, therefore, that our chief dependance—the sheet anchor of the nation's hopes—is in our own resources, of which we cannot be deprived, by the jealousy or hostility of other nations, but which may be thrown away by a blind adherence to a mistaken policy.

It will be seen by the preceding chapters, that I consider there is much to be corrected in our commercial policy, and that I entertain great doubts of the advantages so confidently predicted from a further change in the Corn Laws; and serious apprehensions that their total repeal would greatly increase the difficulties of the country.

I am also fully convinced, that until the present Poor Law has undergone considerable modifications, or a new law shall be enacted better adapted to the altered state of society, no reasonable hope can be entertained that the condition of the people will be improved, or the causes of dissatisfaction removed.

It has long been my decided opinion, that, in any comprehensive plan of relief, a commutation of the taxes is indispensably necessary for the reasons already stated; and although I am sensible that there are great difficulties in carrying such a measure, I believe these would speedily vanish were the Government and the Legislature convinced of its justice and expediency.

I have always considered that emigration on an extensive scale, under the direction and controul of the State, would be a powerful means of relief to our growing population. The abundance of capital and labour at home, and the want of both in the colonies, clearly indicate this as a principal source from which a great measure of improvement might be expected.

Emigration has, hitherto, been left to take such direction as suited the imperfect views of those who, in seeking to improve their condition abroad, were ignorant of the relative advantages of the different

localities to which their attention was directed. The consequence has been that hundreds of thousands have gone to the United States, or to other foreign countries, who might have found superior advantages in Canada or British North America, where they would have continued loyal and faithful subjects of the crown, improving the resources of the kingdom, and constituting a valuable class of customers to our manufacturers at home.

Had the attention of Government been directed to this important subject soon after the general peace, when it became evident that our population was rapidly increasing beyond the means of employment, I see no reason why Canada should not have been densely peopled and have made the same progress in wealth and prosperity as the United States, where so large an amount of British capital has been expended. Even now, it is not too late to adopt a course of policy so palpably advantageous to both the mother country and the colonies.

By the co-operation of the home government and the colonial authorities, arrangements might be made to transport and settle thousands of British subjects every year, who are unemployed and burdensome at home. In the colonies they would find abundance of fertile land and a wide field for their labour, and this might be effected with little expense to the State.

When we consider the millions which have been squandered on foreign objects, for which the country has neither received gratitude, nor return, a moderate grant for such an object might surely be defended, on the broad principle of public advan-

tage ; and when its beneficial results were clearly demonstrated, it would be cheerfully and readily continued.

It may also be worthy the consideration of Government, whether advantages might not reasonably be looked for, from the appointment of committees, composed of the most eminent and competent members of both Houses of Parliament, to consider the important question of the currency, limiting the enquiry to the expediency of making silver a legal tender, conjointly with gold, at its present standard value, and to the issue of small notes in all parts of the United Kingdom under proper limitations and securities.

The investigation instituted by the House of Commons into the banks of issue, and the joint-stock banks should no longer be permitted to linger for an indefinite period. The numerous establishments already in existence, and the large amount of capital embarked in them, together with the important bearing of the subject on all the great interests of the country, make it necessary that these institutions should be placed by Parliament on such a footing as to define the liabilities, and secure the rights of the proprietors, and at the same time provide for the wants and safety of the public.

Added to all these, should be our perseverance in the wise and humane policy lately adopted for improving the health and rational enjoyments of the population in our densely-peopled manufacturing towns and cities ; and lastly, the establishment of a system of public education, based on sound religious principles and useful knowledge.

Whilst the Government is occupied in these and other measures of public utility, the wealthy classes must not forget that "property has its duties, as well as rights." By an imperfect observance of the former, and a too rigid enforcement of the latter, it is to be feared that the neglect of individuals has greatly added to the faults of Government ; and that to both may justly be attributed the evils complained of. We must no longer consider the poor merely as instruments for the acquisition of wealth in which they have little or no participation ; the mass of the people being excluded from political privileges, have a stronger claim on the justice and sympathy of those who possess the whole power and influence of the Government.

As the poor depend so much on the kind consideration of the rich, and are so much at their mercy ; and as they are the producers of the luxuries, comforts, and necessities of life ; it is just that they should be secured in a sufficiency for their daily want : and if a better motive were wanting to stimulate us in the performance of our duty, we may be assured that their interests can never be permanently dissociated from those of the wealthy classes. For what are all our boasted distinctions, the splendour of the throne, the glorious achievements of our arms, the pride of conquest, the spread of knowledge, or the acquisition of wealth, if the blessings which a bountiful Providence has plentifully showered down on our highly-favoured country, are not made subservient to the welfare and happiness of the people ?

It is remarkable that, of late years, wealth has

accumulated in masses on the one hand, whilst on the other a fearful retrogression has taken place in the condition of the poor. This may not be entirely owing to our laws and institutions, though it is difficult to attribute such an anomaly to ordinary or natural causes ; but, however this may be, it is certain that it has occurred in opposition to generally received axioms, and that the evils consequent upon such a state of society can no longer be safely disregarded.

We cannot remain stationary. If we do not advance, we must recede. Parliament is now about to meet for “ the dispatch of business ;” and I shall conclude in expressing an earnest hope, in the beautiful language of our Church Liturgy—that He, who ruleth over kings and people, in whose hands are the destinies of nations, may “ direct and prosper all  
 “ their consultations to the advancement of his glory,  
 “ the good of his church, the safety, honour, and  
 “ welfare of our sovereign and her dominions ; that  
 “ all things may be so ordered and settled by their  
 “ endeavours upon the best and surest foundation,  
 “ that peace and happiness, truth and justice, religion and piety, may be established among us for  
 “ all generations.”

## SIX HOSTILE TARIFFS WITHIN TEN MONTHS.

*(From the Leeds Mercury.)*

AT no period of our history, except during the ascendancy of Napoleon, has such an alarming succession of blows been struck by foreign Governments at the commercial prosperity of England, as since the entrance of Sir Robert Peel upon office. We do not say that it has been owing to the inattention of our own Government, though in another article we show that Ministers are very ill supplied with commercial intelligence by their agents; but we state the simple fact, that within the last ten months, no less than six hostile tariffs have been published by other countries; and it is possible that the year may not conclude without adding a seventh. We state these facts for no party purpose whatever; but with a view of calling the serious attention of Government, of Parliament, and of the country to the events themselves, and to the considerations they suggest as to the future commercial policy of England.

First, we shall enumerate the hostile tariffs that have been passed, with their respective dates, and add the briefest possible explanation of their bearing on English commerce.

1. The Russian tariff, issued in November, 1841, by which the duty on worsted or woollen goods, and mixed worsted and cotton, was raised from one silver rouble per lb. to one silver rouble and 75 copecks (that is, from 3s. 6d. to 6s. 2d. per lb., English): the new duty is from 200 to 300 per cent., *ad valorem*: printed goods are prohibited. The King of Prussia, during his late visit to St. Petersburg, induced the Emperor to issue a more favourable ukase for the products of Prussia.

2. The Portuguese tariff, bearing date the 12th December, 1841; by which the duties on English woollens were raised from 360 reis per lb. to 600. The latter is equal to an *ad valorem* duty of 45 per cent. on the average qualities of cloth sent to Portugal. Before 1837 (in which year the tariff was raised) the duties were only about 10 per cent., *ad valorem* (though nominally 15 per cent.) A favourable tariff is now in course of negotiation.

3. The French tariff, bearing date the 26th June, 1842; by which the duties on English linen yarns and linens were doubled, and made almost entirely prohibitory: this being by far our largest branch of export to France.

4. The Belgian tariff, issued in July, 1842; by which the duty on English linens and linen yarns was raised to the same prohibitory rate as the French duty, in obedience to the dictation of France, and with a view of preventing the smuggling of English linens and yarns into that country through Belgium.

5. The United States tariff, bearing date August, 1842; by



which the duty on woollens was raised from 29 to 40 per cent., *ad valorem*; on worsted goods, from 20 to 30 per cent.; and on cotton goods the duty was made nominally 30 per cent., but on some kinds of goods it is in reality from 100 to 200 per cent., *ad valorem*; and on many kinds of cottons, woollens, and other goods, the duty will be prohibitory.

6. The German League tariff, passed September, 1842; by which the duty on one of the largest branches of our exports, namely, worsted goods, figured or printed, is raised from 30 dollars to 50 dollars per cwt., so as to be, in many cases, prohibitory; and by which the duty on quincailerie, or hardware, is increased, probably, 50 dollars per cwt.

And it is not impossible that next month the Brazilian Tariff may be raised very greatly, the Brazilian Government having given notice to that effect; but we hope this severe blow will be averted by the concessions which Mr. Ellis, the special Minister lately sent out to Brazil, is empowered to make on the sugar duties.

Thus, within a few months, a great part of the civilized world has declared commercial war against us!—Russia, Portugal, France, Belgium, the United States, and the great German League, including Prussia, Bavaria, Saxony, Wurtemberg, and several smaller States! And it is not certain that Brazil may not soon be added to the number. Such an unparalleled succession of untoward events is indeed menacing to our manufactures and foreign commerce, and demands the anxious attention of the Government.

It is proper to observe on this remarkable series of hostile tariffs, that they bear no evidence of confederacy against us. The only exception is in regard to France and Belgium, where the feebleness of power obeys the orders of the stronger. Russia, France, Belgium, the United States, Germany, and even in some degree Portugal, having been influenced by a desire to protect their own manufactures. The United States and Portugal have been additionally moved, by the hope of relieving their financial embarrassments, though the plan has certainly not succeeded in Portugal, and is not likely to succeed in America. Brazil acts in a spirit of retaliation for the prohibitory duties imposed in this country on her sugars.

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1843.



A L E T T E R, &c.  
ON THE CONDITION OF ENGLAND.

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SIR,

It is admitted by all the most influential organs of the government, that the condition of the country is not only afflicting, but pregnant with danger. The *Times* newspaper of the 24th of September, quoted, as peculiarly applicable to the present time, the following passage from the celebrated Robert Hall :—

“ In the moral system, it is a part of the wise arrangement of Providence, that no member shall suffer alone—that, if the lower classes are involved in wretchedness, the more elevated shall not enjoy their prosperity unimpaired. That constitution of society is radically unsound, of which the inferior order is vicious and miserable : a wretched and degraded population is a rent in the foundation, or if we may be allowed to change the figure; a taint of rottenness at the root of society, which will infallibly wither and decay its remotest—I will add also its loftiest—branches, be they ever so high. Alarming as the present aspect of affairs unquestionably is, the most appalling feature of the times undoubtedly is the prevailing discontent of the lower orders—discontent arising, not so much from the infusion of

speculative principles, as from the impression of actual distress. Alleviate their distress—convince them, at least, of your solicitude to do it—and you extirpate the seeds of disaffection far more effectually than by all the acts of intimidation; but if an insensibility to their sufferings in the highest orders goads them to despair, nourishes the appetite for change, and prepares them to lend themselves to the sophistry of artful demagogues and unprincipled empiries, what will be the consequence but a divided and distracted empire? We have the highest authority for asserting, that ‘a kingdom divided against itself cannot stand;’ and surely no schism in the body politic can be more fatal than that which alienates the hands from the head—the physical strength of society from its presiding intellect.”

The prophetic warning conveyed in this eloquent passage, comes re-echoed from every side. The author of an able paper in a recent number of “Blackwood’s Magazine,” while contemplating the outbreak in the manufacturing districts, exclaims, “Wages! wages! wages! In these three words are comprised the beginning, the middle, and the end of the question. They are the three ingredients which go to make up the omnipotent talisman for good or evil—for peace or discord.” A writer, in a recent number of the “Quarterly Review,” while defending the measures of the Conservative Government, in an article calculated to produce a powerful effect, expresses his apprehension of coming events in the following emphatic words:—“We are well aware that such scenes as have afflicted the North, must entail upon the working class additional misery, and, consequently, liability to further disturbance. We look forward with no inconsiderable alarm. We fear that we have ‘scotched the snake,’ not killed it. We expect that great uneasiness will survive, and cannot but fear the possibility of a long and gloomy crisis of distress and disquiet.” It is thus admitted and proclaimed, not by the political

opponents of the Government, but by the most able and influential advocates of its measures, that the present pressure upon the industrious classes is grievous, and the future danger appalling. Can the causes which have arrested prosperity be removed, or are they of a nature so permanent and invincible that their continuous operation must aggravate the distress of the people beyond the limits of possible endurance? These questions involve two others. Can civil war be averted? Can the institutions of England be preserved?

The cry which raised the masses of the North, was, "A fair day's wage for a fair day's work." Should this become attainable, contentment will return, and peace will be preserved. But should wages, instead of recovering from their late depression, continue to decline, and should the operative be no longer able to "eat bread by the sweat of his brow," then the right of self-preservation will forcibly repeal all law; physical force will become the title to property,—“He will take who has the power, and he may keep who can.” An accurate knowledge of the principles which regulate wages, and a prompt adoption of some comprehensive remedial measure, framed in accordance with these principles, have become necessary, in order to prevent a dissolution of the ties which keep things in their places, and hold society together.

*On the manner in which the relative efficacy of British and of Foreign Labour limits the amount of Money Wages.*

It may be assumed, as a proposition not open to controversy, that in countries exporting the same description of manufactured goods, the money-wages of the operatives employed in the preparation of such goods, other things remaining the same, will gravitate towards a common level. Should England and Germany export cottons and woollens to America, and should the advantages, with regard to the

production of these articles, be equal in the two countries, then it would be evidently impossible for the English manufacturer to pay higher money-wages than the German. But, on the other hand, should England possess an advantage over Germany with regard to the cheapness of fuel, to the efficiency of machinery, or to the skill and energy with which manual labour is applied; then, in either of these cases, the English manufacturer who prepared cottons and woollens for the foreign market, could afford to pay higher money-wages than the German to the extent of the superiority possessed. For example, should the superiority possessed by England be such as to enable 100 operatives to execute in this country the same quantity of work which it required 125 to execute in Germany, then the English capitalist could afford to advance, as the wages of 100, the same sum which might be advanced in Germany as the wages of 125. Under the circumstances assumed, money-wages would remain 25 per cent. higher in England than in Germany.

For a long series of years England possessed such superior advantages in manufacturing industry, that she was enabled to execute, with a given number of hands, a much greater quantity of work than that which could be executed by the same number of hands in other countries; and the necessary consequence was, that money wages became considerably higher in England than on the continent of Europe. While the wars of the French revolution paralysed the industry of the continent, England, mistress of the seas, enjoying internal security, and employed in developing the new mechanical power created by her Watts and Arkwrights, was possessed of exclusive advantages, which conferred upon the produce of any given quantity of her labour a value far exceeding that which, under the then existing circumstances, it was possible for the produce of the same quantity of Continental labour to acquire. It would be scarcely too much to say that, in some branches of manufacture, one English operative, during the early

development and application of the new mechanical power, could execute a greater quantity of work than that which could be performed by 100 operatives in other manufacturing countries. On the lowest average estimate, the goods produced by one pair of hands in England were of greater value than the goods produced by ten pair of hands out of England. The English manufacturer, who sent his fabrics to the countries of the mines, received, in proportion to the labour employed upon them, a much larger quantity of the precious metals than that which could be obtained by the foreign manufacturer. As the produce of a given quantity of English labour exchanged for a greater quantity of gold than the produce of the same quantity of foreign labour, the English labourer was enabled to command higher money-wages than the foreign. High money-wages created a high money demand for provisions, and for all home productions, the cost of which the new mechanical power had not reduced. The value of all foreign productions, including the precious metals, fell in relation to the produce of domestic labour, to that labour itself, to land, to taxation, and to the public debt. The condition of the industrious classes improved through the combined operation of these causes. While money-wages, and profits, estimated in money, rose, the prices of those articles of comfort and convenience to which the progressive improvements in mechanical power could be applied, gradually declined; the prices of foreign commodities, whether necessities or comforts, did not rise in an equal proportion to the rise in money-wages, while the high value of the produce of given quantities of labour in relation to land, and to other descriptions of fixed property, tended to abate the pressure of taxation. Under these circumstances, the real reward of labour, and the general scale of comfort, became higher in England than on the Continent of Europe. The world became tributary to England. The extent of the superiority which the people of this country



acquired from the exclusive possession of the improvements in mechanical power, and from the monopoly of commerce, growing out of the incidents of the revolutionary war, it would be difficult to estimate. It appears to be generally admitted, that it was the almost miraculous increase in the productive power of British industry, co-incident with the war, which supplied the means by which the war was carried on. While some have affirmed that "James Watt was the real conqueror of Napoleon," others have seen in the inexhaustible resources so suddenly and so opportunely conferred upon England, a special interposition of Providence for the deliverance of Europe. "The war was unquestionably one of finance. It could not have been carried on in Europe without an enormous, and wholly unexampled expenditure. It was necessary to pay the thrones of the whole Continent even to fight for themselves. Without our loans, they must have submitted, and increased the vassals and the armies of France. The power of lending is not unlimited; and England had long felt that she had reached the natural limit of taxation. To avoid this pressure by sharing it with America, she had even hazarded and suffered the loss of her colonies. And just then, as the very crisis was approaching which was to lay upon her a burthen which she had never calculated on bearing, or being able to bear—a crisis, too, which, near as it was, no man had been able to foresee, an extraordinary means of wealth was put into her hands; sustained and followed by the sudden discovery of the most powerful instrument of skill and labour ever given to man; and the combined effort *did* enable England to subsidize all Europe, to fight the universal tyrant in defence of the universal cause, to pour out millions upon millions amidst universal bankruptcy, and, finally, to achieve a miraculous deliverance. What can be more complete than the proof, except the actual pouring down of a stream of gold from heaven before our eyes? The stream of gold was actually

poured ; and though it did not come in the shape of miracle, yet its source might not be the less providential for its winding its way through the ten thousand channels of society to issue in the noblest use of the wealth of nations. Extensive interests were dependent on success ; the ultimate overthrow of the Revolution with all its evils, the restoration of European order, and the palpable triumph of sound principles in government and religion, were so clearly connected with this country, that we, at least, should not be surprised to find that its success had been provided for by the great Protector of human happiness\*."

In achieving the deliverance of Europe, England resigned some portion of the exclusive advantages, by which the means of continuing the contest had been supplied. With the restoration of peace, the industry of the Continent revived ; the seas were opened to the flags of the world ; and the facility of international communication extended to other commercial countries that knowledge in the application of scientific power, which had for so long a period, been confined to England. The difference between the efficacy of British and of foreign labour, became less and less. The goods produced in England by a single pair of hands, would no longer exchange for the goods produced in other countries by many pairs of hands ; and as the produce of British industry exchanged for a less quantity of foreign productions, including the precious metals, money wages, and the prices of home productions, necessarily declined. It is now too late to inquire, to what extent the depression occasioned by the transition from war to peace might have been mitigated, by the early adoption of an enlightened course of commercial policy. Erroneous legislation aggravated the evil. The restrictive system, of which we set the example, has been turned against us. The industrial processes indigenous to England, have been acclimated in other countries. Our former customers are our present

\* "Blackwood's Magazine" for October 1842.

rivals. How this state of things might have been prevented, postponed, or mitigated, is not the problem which has now to be solved; the duty which devolves upon the statesman of the present day is, to save the industrious millions from the effects of a transition partly resulting from the progress of knowledge, and of improvement in other countries, and partly created by the tariff war, waged universally against British commerce.

We must ascertain the character of the disease, before we can apply an appropriate remedy; we must probe the wound to the bottom, before we can determine the extent of the operation which it may be necessary to perform. Before proceeding to the consideration of practical measures, it will be expedient to revert to the circumstances which have occasioned the progressive decline of wages in England, and to measure the extent to which, if not counteracted, the depression is likely to proceed.

The superior advantages which have hitherto rendered the produce of a given quantity of English labour, more valuable than the produce of the same quantity of foreign labour, and which have consequently enabled the English to command higher wages than the continental operative, are, mechanical inventions, manual dexterity, and productive coal mines. Now, ever since the termination of the wars of the French revolution, foreign countries have been approaching nearer and nearer to an equality with England, with regard to these advantages; and the consequence has been, that the value of the products of foreign industry has been gradually rising, in relation to the products of British industry; or, to express the same result in other words, the value of the produce of British industry has been gradually falling, in relation to the products of foreign industry, including in these products the precious metals. This decline in the value of British goods involved, as its inevitable consequence, a decline in money wages. As the master manufacturer obtained a less quantity of gold for

the produce of the same quantity of labour, his only alternative was, to pay less wages, or to carry on a losing trade, terminating in bankruptcy, and in a total cessation of wages.

Should the causes now adverted to continue in operation, wages must continue to decline. Should foreign countries attain to an equality with England, as regards the advantages which give efficacy to industry, English wages must fall to the foreign level. And should our Continental rivals, in their rapid progress of improvement, acquire superiority in manufacturing any principal staple for exportation, then wages in England will continue to decline, not only until they shall have touched the Continental level, but until they shall have sunk below it. Let the comparative efficacy of industry be such that it requires in England 110 pair of hands to produce, for exportation, the same goods which can be supplied by 100 pair of hands in rival countries; and then the money wages of the English operative will fall 10 per cent. below the foreign level. The circumstances which may be expected to affect the comparative efficacy of British and of foreign industry form one of the most important subjects of inquiry which, in the actual condition of England, can be brought under the consideration of the practical statesman.

The main causes which have hitherto conferred upon the produce of a given quantity of British labour, the power of purchasing the produce of a greater quantity of foreign labour are, as has been already stated, the employment of superior machinery, greater energy and skill in the application of manual labour, and the possession of more accessible coal mines. Is it reasonable to suppose that, in the present circumstances of the world, England can maintain a permanent monopoly of the advantages which enable a given number of hands to execute a greater quantity of work in one locality than another? In the actual state of knowledge and of international communication, the adoption of

the latest improvements in scientific power cannot be confined to any particular country. A rigid enforcement of laws against the exportation of machinery might possibly retard, but could not ultimately prevent the inevitable result. If the exportation of our machines could be prevented, the makers of our machines would be induced to emigrate ; and in the long run, we should lose the advantage of manufacturing superior machines for the foreign market, without being able to secure their exclusive application. As regards energy and skill in the application of manual labour, it would be presumptuous to assume that the English operative will continue ever superior to the robust and persevering German. These artificial advantages rival nations will acquire.

In the employment of machinery, and in the efficacy of manual labour, England cannot continue to retain any marked superiority over other manufacturing countries. With respect, however, to the natural advantage of accessible coal fields, the case may be different. Coal abounds in Belgium, and in Prussia ; but it is believed that the coal of these countries is of an inferior quality to that found in many parts of Britain ; while it is less conveniently situated, with respect to the seats of manufacturing industry. Should this be the case then, to whatever extent the possession of the natural advantage of cheaper fuel may enable a given number of hands in England to execute a greater quantity of work than the same number of hands can execute upon the Continent, to that extent, and to that extent alone, can the English operative, who works for the foreign market, continue to receive higher money-wages than the Continental operative, who works for the same market. Other things being the same, the amount which the master manufacturer saves by the purchase of cheaper fuel, he may employ in the payment of higher wages. If, in the production of a given quantity of goods in England, 95 men are employed in the factory, and five in providing fuel,

while in the production of the same quantity of goods upon the Continent, 95 men are employed in the factory, and ten in providing fuel, then the amount of money-wages which is paid to 105 workmen on the Continent, may be paid to 100 in England. But it is obvious that, under the circumstances assumed, money wages in England could not exceed money wages on the Continent, by more than 5 per cent. For should the English operatives succeed for a time in compelling their employers to pay money-wages exceeding the Continental level by more than the difference in the price of fuel, the inevitable consequences would be, that the English manufacturer would be undersold in the foreign market, and that the operative would be thrown out of work. No combination amongst labourers, no liberality on the part of capitalists, and no interference on the part of the legislature, could by possibility avert these results. In a country extensively engaged in manufacturing for foreign markets, no artificial mounds can be created for damming up money-wages above the level determined by foreign competition.

*On the manner in which an increase of Capital and Labour, when not accompanied by a corresponding augmentation in the field of Employment, depresses Wages.*

It will be perceived that in the foregoing reasonings and illustrations, no allowance has been made for the effects of the varying proportions in which commercial countries demand the productions of each other, or for the manner in which these proportions may be influenced by the imposition of tariff duties. The operation of these disturbing causes must be ascertained before we can arrive at any competent knowledge regarding the actual condition of England, or measure the extent of the declining path which lies spread out before her.

In a country in which any considerable portion of the people are dependant upon foreign trade for employment, and the means of subsistence, foreign competition fixes the *maximum* beyond which money-wages cannot rise, while home competition determines the *minimum*, to which they may fall. The effect of home competition in altering the proportions in which different countries demand the productions of each other, requires to be traced.

All commerce is in effect a trade of barter ; and the value of the productions of one country, in the markets of another, is determined by the proportion between the demand and the supply. Should the demand for British goods in the American market remain stationary, while their supply increased, then, in the American market, the produce of a given quantity of British labour would exchange for the produce of a less quantity of American labour than before ; and if, in the English markets, the supply of American produce should remain stationary, while the demand for it increased ; then, in the English markets, the produce of a given quantity of American labour would exchange for the produce of a greater quantity of English labour than before. Now on these obvious and universally admitted principles of trade, we can explain the process by which, in a manufacturing country importing raw materials, an increase of manufacturing capital may, even in the absence of foreign competition, occasion a diminution in the wages of the operative class.

It is universally admitted, that over-trading lowers prices, profits, and wages, in those particular branches of industry in which it occurs. But there is a school of political economists who assume, that capital possesses some occult property or influence, by which it creates for itself the field in which it is employed, and renders demands co-extensive with supply. Economists of this school contend, that though there may be partial, yet there cannot be general over-trading ; and that, when over-trading occurs, a certain remedy for the evil may be found in transferring capital from those

employments in which it is in excess, to those in which it is deficient. With the economists who take “the high priori road,” and anticipate the results of science by assuming the facts from which their principles are deduced, I pretend not to contend. But to those who regard political economy as an inductive science, the principles of which are nothing more than general facts established by experience, I confidently submit the following considerations, as showing that capital cannot create for itself the field of profitable employment; and that in a country exporting wrought goods in exchange for raw produce, there may exist, even in the absence of all foreign competition, a contemporaneous overtrading throughout all the departments of manufacturing and commercial industry.

Those who attribute the greatest efficacy to capital, who contend that it measures the field of employment, and that its proportion to labour is the sole regulator of wages—even those superstitious worshippers of capital cannot but admit, that in an agricultural country, not importing raw produce, there may be a general redundancy, and a glut of capital, when its accumulations can be no longer employed upon soils which, in the actual state of agricultural knowledge, are not capable of yielding a quantity of produce equal to that which must be expended in their cultivation. Under such circumstances a country has arrived at the stationary state; and although landed proprietors and others may continue to save from their incomes, yet every new accumulation must be either hoarded or exported, because it cannot by possibility be reproductively employed. Of the possibility of a redundancy, a general glut of capital in a country which does not import raw produce, and which, in the actual state of knowledge, has arrived at the limits of her own agricultural resources, there can exist no doubt. The only question is, whether, in a country extensively engaged in foreign commerce, and importing raw produce, there can be such a plethora of capital as to occasion, in the absence of foreign



competition, stagnation, want of employment, and a general fall of prices, of profits, and of wages, throughout all the branches of the national industry which supply the foreign market? In the actual condition of England this is the question of questions. Let us endeavour to arrive at a correct solution of it.

It is a fact, established by experience, and universally admitted, that, in an industrious country, savings may be made from income, and that capital may be thus increased; and it is also a fact established by experience, and universally admitted, that, in countries in different stages of improvement, capital may increase in different ratios. Now from these facts, founded on experience, and universally admitted, the necessary, the self-evident conclusion is, that, in a country depending on foreign commerce, and importing raw produce, there may be a redundancy, a general glut of capital, occasioning over-trading, and a consequent fall of profits and wages throughout all the branches of industry engaged in supplying the foreign market.

When, in England, the capital employed in preparing cotton fabrics for the foreign market increases faster than the capital employed in foreign countries in raising the raw materials, by the expenditure of which cotton fabrics are produced; then, in conformity with the universal law of demand and supply, and as experience has too abundantly proved, the value of cotton fabrics will decline in relation to the elementary cost of their production; and, in the cotton trade, profits, or wages, or both, must come down. Now, causes similar to those which produce these effects in the cotton trade, may, at the same time, be producing similar effects in the woollen trade, in the linen trade, in the silk trade, and in all the other branches of industry, in which goods are made for foreign markets. If the home capital employed in preparing cotton goods increases faster than the foreign capital employed in producing equivalents to be exchanged for cotton goods, the home capital em-

ployed in preparing woollen goods may increase faster than the foreign capital employed in producing equivalents for their purchase. The like may simultaneously occur in all the other branches of foreign trade. In all, manufacturing capital may increase faster than the foreign capital which raises the materials of manufacture; and thus, in all the departments of industry supplying goods to the foreign market, there may be a contemporaneous over-trading, a consentaneous home competition, occasioning a general fall of prices, of profits, and of wages, want of employment, and destitution.

Our powers of production have outgrown the field of employment. The history of the cotton trade affords the most striking exemplification of the fact. After the first great improvements in the application of mechanical power were effected, a considerable period elapsed before the reduction in the cost of producing cotton fabrics was followed by a corresponding increase in their supply and diminution in their price. During this period profits and wages were sustained at an extraordinary height; large fortunes were rapidly realized; and the manufacturing population multiplied. This prosperous state of the trade might have continued to the present day, provided the capital and labour employed in foreign countries in raising cotton wool, and the other raw produce which are at once the equivalents and the component parts of the finished goods, had increased in an equal ratio with the increase which took place in the capital and labour employed in the cotton manufacture. This, unfortunately, was not the case. There was, it is true, a rapid increase in the foreign demand; but then there was an increase still more rapid in the supply. The trade extended in an extraordinary degree. Year after year a greater quantity of work was executed. Year after year additional capital was brought in, and improved machinery applied; and year after year, prices and profits and wages fell.

To create an extension of the foreign market proportionate to the increasing powers of production in this country, is obviously beyond our power. The enormous sums advanced in foreign loans, invested in foreign securities, and hazarded in the execution of internal improvements in foreign lands, supply a practical demonstration that the ratio at which capital increases is higher in this, than in foreign countries; while the lines of circumvallation drawn around us by hostile tariffs, show us, in a way which cannot be mistaken, that it has become the established policy of foreign countries to employ their relatively slow increase of capital in manufacturing for themselves, and not in raising additional supplies of raw produce to be exported in exchange for British fabrics. By the operation of a two-fold cause, the supply of British goods is kept in excess of the foreign demand; and the value of the produce of British labour in relation to the produce of foreign labour, continues to decline. And thus it is that the powers of production outgrow the field of employment, and that home competition and over-trading must force down the money wages of the English operative below the level which would otherwise be determined by the relative efficacy of his labour.

*On the manner in which the Import Duties imposed by foreign States on British Goods, lower the value of British Labour.*

The effect of hostile tariffs upon wages remains to be traced. We have seen that when demand and supply, as regards foreign markets, are in the relation of equality, money wages in England must bear the same proportion to money wages in other manufacturing countries, which the efficacy of British labour bears to the efficacy of foreign labour; and we have further seen, that when the labour and capital employed in supplying foreign markets with

British fabrics, increase in a higher ratio than the labour and capital employed in foreign countries in supplying equivalents, the money wages of the British operative must be pressed down below the amount which would otherwise be due to his energy and skill. Now we shall find, upon a due consideration of the subject, that the fall of wages, occasioned by the disproportionate increase in the labour and capital employed in manufacturing for foreign markets, must receive a grievous aggravation from the heavy import duties imposed by foreign countries upon British goods.

Goods of the same kind and quality cannot be sold in the same market at different prices. Were the efficacy of industry greater by 10 per cent. in England than in Belgium, and were a perfectly free trade established between the two countries, then a bale of goods produced in England by the labour of 100, would sell in the Belgian market for the same sum which a similar bale produced in Belgium by the labour of 110 would sell for; and consequently the money wages of the English, might exceed by 10 per cent. the money wages of the Belgian operatives. But the commerce between England and Belgium, instead of being perfectly free, is restricted by import duties. Belgium, in order to protect her domestic manufactures, imposes a duty of 10 per cent. *ad valorem* upon the importation of woollen cloths; and, consequently, the British manufacturer, who sends woollens to the Belgian market, can obtain, after the deduction of the duty, only 90% for the same quantity and quality of goods for which the Belgian manufacturer obtains 100%. The amount of the Belgian duty is deducted from English wages. If, as we have just assumed, the superior efficacy of British industry were such, that 90 English operatives could execute as much work as 100 Belgians, then English wages, instead of maintaining a due proportion to the efficacy of English labour, would fall to the Belgian level.

Again ; the Belgian tariff imposes a duty of 21 per cent. *ad valorem* upon certain descriptions of linen fabrics. The British manufacturer who should send such fabrics to the Belgian market, could obtain, after the deduction of the duty, only 79% for a bale of the same description of linen goods for which the Belgian manufacturer obtained 100% ; and, consequently, if the whole of the labour, direct and indirect, employed in preparing the bale of linens were 90 in England, and 100 in Belgium, the sum received as wages by 90 English labourers would be less by 21% (the amount of the duty) than the sum received by 100 Belgians. In other words, the English operative employed in the linen trade could earn, notwithstanding the superior efficacy of his labour, amounting by the supposition to upwards of 10 per cent., only 17s. 6½d., where his Belgian rival would earn 1*l*.

Previous to the recent modification of the tariff of the German Customs Union, the duties payable upon British

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the Zollverein, were equivalent to 90 per cent. *ad valorem* upon coarse fabrics, 32 per cent. upon superior shirting, 15 per cent. upon printed cottons, worth 1s. 6d. per yard, and about 9 per cent. upon fine printed cottons, worth 2s. 6d. per yard. By the new tariff, the duty upon cotton warps is advanced from the former amount of two dollars per hundred weight to three dollars, being an increase of 50 per cent. ; on worsted, and worsted and cotton mixed goods if printed, embroidered, or *broché*, the duty is increased from 30 to 50 dollars per hundred weight, or 66 per cent. ; while upon hardware the increase of duty amounts to cent. per cent.

The operation of these duties, as regards comparative wages, will be immediately apparent. It is obvious that the British manufacturer who competes with the German manufacturer in the markets of the German union, must be

compensated for the whole amount of the duty which he may be required to pay, either by the superiority of British labour as compared with German labour, or by the degradation of British wages below the German level. But Germany, with her orderly and persevering population, with her coal mines, her navigable rivers, and her projected railroads, is gradually approaching towards an equality with England in all that relates to the efficacy of industry. The causes are already in full and resistless operation, which will render it impossible for the British manufacturer to retain possession of the German market, except upon the condition of a progressive reduction of wages in England.

The tariffs of the other principal states of Europe are yet more injurious than that of the German union. The import duties imposed by France, limit our exports to that country to an inconsiderable amount; the charges upon imports exacted by Russia deprive us of the power of paying in manufactured goods, for the enormous amount of produce which we annually receive from her; and by the Austrian tariff, duties equivalent to 60 per cent. *ad valorem* are imposed upon all kinds of cotton manufacture, upon earthenware, hardware, and woollen goods of all kinds. It would be superfluous to repeat the details of the process by which these hostile tariffs contribute to depress the wages of labour in England. The *modus operandi* is alike in all. As commodities of the same kind and quality cannot be sold in the same market at different prices, the price which the British manufacturer, who exports goods to any foreign country, can actually realise, must be less, by the amount of the import duty which he pays, than the price realised by the manufacturers of that country for similar goods. For this diminution in his receipts, the British manufacturer must be indemnified, either by the superior efficacy of the labour which he employs, or by the

inferior price which he pays for it. But the progress of knowledge and of improvement is gradually bringing up the efficacy of foreign labour to an equality with that of British labour; and it follows, as an inevitable consequence, that the British manufacturer who continues to work for foreign markets, will be compelled to enforce a reduction in wages equivalent to the import duties charged upon his goods.

There appears to exist in certain quarters, an expectation that trade will revive, and that an increased demand for British goods will be followed by an advance of wages. A moment's consideration will convince us that, with respect to the continent of Europe, this expectation is utterly groundless. The essential condition upon which alone an increased European demand for British goods can arise, is, that the wages of labour in England shall be depressed as much below the wages of labour in the rival countries to which we export our fabrics, as the import duties imposed in these countries exceed the proportion in which labour in these countries is less efficacious than British labour. Were it a fact, that the superior efficacy of British labour compensated the manufacturer for the duties charged upon his goods, then, indeed, an increased exportation to the continental markets might take place without a depression of British wages below the continental level. But the fact is far otherwise. While foreign countries approach towards an equality with England as regards the efficacy of labour, the import duties upon British goods increase and multiply. Under such circumstances, it is manifestly impossible that there should be an extended sale of British goods without an increased depreciation of British labour. As regards the markets of Europe, the expectation of a revival of trade, leading to an advance of wages, is purely visionary. Let us turn to **America**.

England possesses no superiority over the United States

of North America as regards the advantages, whether natural or acquired, by which the efficacy of industry is increased. Within the union there are coal fields and water power to an almost unlimited extent ; some of our latest improvements in the application of mechanical power have been borrowed from the States ; our transatlantic brethren are in no way inferior to us in energy, dexterity, and skill, and they grow, while we import, the raw material of our most important manufacture. There is no cause in operation which can enable a given number of hands to execute a greater quantity of work in England, than in the United States. Were it not that wages are lower in England than in America, British fabrics could not be sold in the markets of the United States. In the coarser cotton fabrics, the greater cheapness of the raw material appears sufficient to indemnify the American manufacturer for the higher wages which he pays, and to enable him to compete successfully with his British rival in distant markets. Wages pressed down something below the American level, would be the condition upon which alone the British could undersell the American manufacturer in the American market, even if America could be induced to abandon her tariff, and to admit British fabrics duty free. This we cannot hope for. Under the compromise act, and previous to the recent modification of the American tariff, the import duties were to be limited to 20 per cent. These duties have now been enormously increased ; and it is the avowed design of the Whig party in the Union, to adopt the protective system to such an extent, as to give the American manufacturer a monopoly in the home market. Should this policy prevail, a fall of wages in England, to the lowest level at which life can be sustained, will be the melancholy condition upon which alone an extended sale of British goods in the American Union can be effected. But a result less disastrous may perhaps be anticipated. High protecting duties in



favour of the manufacturers of the Northern States must prove so injurious to the cultivators of the Southern States, that it seems not unreasonable to hope that the continuance of such duties may be successfully resisted, and the more liberal policy of the compromise act re-established. Let us take the most favourable view of the subject, and endeavour to estimate the relative amount of wages in England and America, under the supposition that America will consent to abandon her existing tariff, and to revert to the policy by which her import duties were to be limited to 20 per cent.

It is evident that British and American goods of the same kind and quality, must be sold to the consumer in the American market at the same price; and it is equally evident, that if the British manufacturer has to pay a charge of 20 per cent. from which his competitor is exempt, he must be enabled, either by employing fewer hands, or by paying lower wages, to effect a diminution in the cost of production equivalent to the impost. But as industry is not less effective in the United States than in England, the British manufacturer cannot employ fewer hands than the American, in bringing his commodity to market; and it follows, as a necessary consequence, that the import duty imposed by America upon British goods, must fall on British wages.

The manner in which an American import duty of 20 per cent. would affect British wages may be thus analysed. England and the United States being on a footing of equality with regard to the efficacy of their industry, an American manufacturer after advancing 100%, on account of the wear and tear of machinery, fuel, and raw material, and another 100% on account of wages, produces a bale of cotton goods, which he sells for 220%, or at a profit of 10 per cent.; while the British manufacturer, after advancing 100% for machinery, fuel, and materials,

and employing the same number of hands as the American, sends to the American market a similar bale of goods, sells them there for the same price of 220*l.*, and pays the import duty of 20 per cent. or 45*l.* upon them. In this case, it is self-evident that if the British manufacturer had paid, like the American, 100*l.* for wages, he would have suffered a loss of 25*l.* upon the transaction. Though the price paid by the consumers was 220*l.*, yet the price realized by the manufacturer, after the deduction of duty, was only 175*l.*; and consequently, if his profit was to be ten per cent., his whole outlay, in sending his bale of cottons to market, could not have exceeded 158*l.* Of this sum, he must have paid 100*l.* on account of machinery, moving power, and materials (England and the United States being by the supposition on an equality in these particulars), and, consequently, the British manufacturer could have paid only 58*l.* to the same number of operatives to whom the American manufacturer paid 100*l.*

The hypothetical case thus assumed, for the sake of illustration, will perhaps be sufficient to explain the manner and degree in which the tariff of the United States tends to force down English wages below the American level. England and the United States are so nearly upon an equality, with regard to all the circumstances which contribute to give efficacy to industry, that the British manufacturer cannot procure machinery, moving power, and raw material, at less cost than the American manufacturer; and it therefore follows, that when British manufactures, similar to the protected American manufactures, are sold in the American markets, it is upon the wages of the English operative, that the American import duties must ultimately fall.

It may be asked, why is it necessary that the English capitalist should dispose of his goods upon the same advantageous terms as the American capitalist? and why should not the import duty, imposed on British fabrics, be de-

ducted from the profit of the master, instead of from the wages of the operative.

The first answer to these questions is, that the ratio in which the value of finished goods can be made to exceed the cost of their production, is not sufficient to allow of *the payment of heavy import duties out of the master's profit.* The second answer is, that were it even practicable to give to manufactured goods a marketable value, exceeding their productive cost in such a proportion as to leave a margin equivalent to the duty charged upon them, that duty could not be made to fall on profits, without disturbing the equilibrium which capital throughout the commercial world has a constant tendency to maintain. Profits conform to a general level more rapidly than wages; money is transferred from one country to another with little difficulty, and at little cost; labour is so transferred with considerable difficulty, and at considerable cost. A bill of exchange wafts capital across the Atlantic; to convey the operative, requires an expensive voyage, the cost of which he may be unable to defray. A slight difference in the rate of profit moves masses of capital from one locality to another; a considerable difference in the amount of wages is insufficient to occasion a corresponding transference of labour. Were the English manufacturer, who prepares goods for the American market, to pay the same wages which are paid to the American operative, manufacturing profits would be less in England than in America, by the amount of the import duty charged on British fabrics; and the inevitable consequence would be, that manufacturing capital would migrate from England to the United States, and that the operative would be left in utter destitution. The melancholy alternative is—reduced wages, or no wages at all. Powers of production outgrowing the field of employment, foreign competition, and hostile tariffs, have already degraded, and if remedial measures be not

speedily applied, must continue still farther to degrade the condition of the industrious masses, dependent upon foreign trade for the means of subsistence.

This fearful change cannot be confined to those who are directly depending upon foreign trade. The operatives employed in preparing cottons, and woollens, and linens, and hardware, for the home market, cannot command higher wages than those who may be employed in preparing similar articles for the foreign market. Unless remedial measures commensurate to the magnitude of the evil be adopted, the price of labour throughout all the manufacturing districts of the kingdom will continue to decline. Nor will the decline be limited to manual labour. The money demand for every species of personal service will become less and less. As foreign rivalry, hostile tariffs, and powers of production outgrowing the field of employment, reduce the value of the produce of British labour in relation to the produce of foreign labour, including gold and silver, foreign countries will command a greater, and England a less proportion of the precious metals circulating throughout the commercial world. The hitherto existing distribution of the metals will be progressively altered, to the disadvantage of England ; and the necessary result of such alteration will be, a general fall in the price of all non-imported commodities or, in other words, a rise in the value of money, in relation to British labour and its products.

The fall in real wages will be greater than the fall in money wages. As the distribution of the precious metals changes to the disadvantage of England, the fall in the price of the produce of British labour will be accompanied by a rise in the price of the produce of foreign labour. Now while England continues to import corn, and other articles of food, the price of the necessaries of life in the home market must be regulated by their price in the foreign countries from which they are imported ; and hence the fall in money

wages may be expected to be followed by a comparative advance in the price of food.

The prospect which lies before us is distressing. Hitherto the standard of comfort has been higher in England, than in the other countries of Europe. This higher standard must now be lowered. As the efficacy of foreign labour rises to an equality with that of British labour, English wages must descend to the foreign level ; as the disproportionate increase of the capital and labour employed in foreign trade compels us to force our fabrics into markets where they are met by hostile tariffs, the wages of the labour by which they are prepared must fall, not merely to a level with the wages of equally effective labour employed upon similar goods in the country to which we may export, but to such a depth below that level, as may be determined by the amount of the import duty imposed upon our goods. The English artisan must exchange his wheaten loaf for the black bread of the continent ; must reduce his accustomed supply of animal food, and relinquish the tea and sugar hitherto regarded as amongst the necessaries of life. The fall will be severe. It will be a descent, not from superiority to equality, but from superiority to inferiority. The condition of the industrious classes in England, with regard to food, clothing, and lodging, will sink below that of the same classes throughout the Continent of Europe. In what spirit will the calamitous vicissitude be borne ? What effects may be expected to result from this progressive deterioration of the physical condition of the working classes ?

One inevitable consequence of the continued decline of money wages will be, a total repeal of the provision laws. Hitherto the masses have been withheld from identifying themselves with the Anti-Corn Law agitation, by an apprehension that a reduction in the price of corn might occasion a fall in money wages. But when experience shall have taught them that laws for raising the value of food cannot

prevent a fall in the value of labour ; when they see and feel, that the fall of wages to the level determined by Continental competition, and hostile tariffs, must reduce them to destitution and starvation, unless the price of the necessities of life should be brought down to the level of free trade, then there will be a pressure from without, which the legislature will be unable to resist. The famishing masses will demand a total and immediate repeal of the Corn Laws, and the voice of the people will be as the voice of God.

Though the crisis occasioned by the continued fall of money wages, will render it impracticable to maintain the prices of the necessities of life at an artificial elevation, yet the repeal of the Corn Laws will not be productive of all the advantages which the more sanguine advocates of that salutary and indispensable measure appear to anticipate. The free importation of food cannot arrest that progress of improvement which is gradually raising the efficacy of foreign to an equality with the efficacy of British labour, and altering the distribution of the precious metals to the disadvantage of this country. Neither can an unrestricted admission of foreign corn enable the British manufacturer to sell his fabrics in foreign countries at higher prices than those obtained for similar fabrics produced in those countries, and thus prevent the hostile tariffs of our rivals from depressing the money wages of the English operative below the level which would otherwise be due to the relative efficacy of his industry. The abolition of the Corn Laws will be utterly inoperative, as far as regards the removal of the causes which are depressing money wages. All that their abolition, even were it to take place under the most favourable circumstances, could accomplish, would be, to prevent *real* wages from falling in a greater proportion than *money* wages. Were the repeal of the Corn Laws to equalize the prices of provisions in England, and on the

Continent as the growing efficacy of Continental labour equalizes money wages, then the effect of the repeal would be, to prevent the manufacturing population of England from being worse fed, worse clothed, and worse lodged than the manufacturing population of Belgium, Saxony, and Prussia. But this is taking too favourable a view of the subject. After the freest and the largest importation of provisions, the first necessities of life will still be higher in England than on the Continent, by the cost of carriage. To the extent of the difference thus caused in the price of necessities, *real* wages will bear a less proportion to *money* wages in England than on the Continent. All that the most unrestricted admission of foreign corn can effect, will be, to break a part of the inevitable fall to which, under existing circumstances, the manufacturing population of England is doomed.

It is frequently stated, that were we, under free trade, to import a largely increased quantity of foreign corn, we should export a largely increased quantity of manufactured goods, in order to pay for it. This statement is true; but the truth which it conveys is not the whole truth. Were we to open our ports to the produce of foreign countries, while these countries retain their hostile tariffs, the British demand for foreign produce would be increased in a greater proportion than the foreign demand for British goods; and under the operation of the universally admitted law of demand and supply, the value of the produce of British labour would be still further depressed in relation to the produce of foreign labour, including the precious metals. More goods would be exported, but at lower prices; a greater number of operatives would be employed, but at reduced money wages. Nevertheless, the result upon the whole would be beneficial. There would be fewer hands unemployed, fewer families reduced to utter destitution, while the reduction in the price of necessities

consequent upon free trade, would prevent real wages from falling in a greater proportion than money wages. Hence, though the free importation of foreign produce, while foreign countries impose heavy duties upon British goods, would have a tendency, not to increase, but still further to depress prices and money wages in England, yet a total repeal of the Corn Laws would be decidedly advantageous to our manufacturing population.

*On the manner in which a repeal of the Corn Laws would limit employment, and depress wages in the manufacturing districts.*

There is in England an agricultural as well as a manufacturing population. Can the latter be relieved without the infliction of distress upon the former? As money wages decline to the level determined by foreign competition and foreign tariffs, the English operative cannot be saved from sinking to a condition considerably inferior to that of the Continental operative, unless there should be an importation of foreign agricultural produce sufficient to render the price of provisions nearly as low in the markets of England as in the markets of the German league. But in years of average abundance, the United Kingdom produces a quantity of corn nearly sufficient for home consumption. In such years, the importation of a large quantity of foreign produce would displace a large quantity of domestic produce. What would now become of the agricultural labourers by whom the displaced domestic produce had been raised? It is self-evident, that the measure which is necessary, in order to relieve the town population from intolerable pressure, would throw masses of the rural population upon the parishes for support.

Many of the advocates of a total repeal of the Corn Laws, argue as if the population of the manufacturing districts constituted the entire population of the kingdom.



They view this important question on one side only. They state the truth, but not the whole truth. They demonstrate the facts, that free trade is necessary, to prevent accelerated decline; and that the maintenance of laws keeping up the prices of provisions at an artificial level, while money wages are falling to the competition level, must inflict upon the operatives of England a pressure and a degradation beyond the limits of endurance. But they close their understanding against the equally indisputable facts, that the immediate effect of free trade would be to create agricultural distress; and that displacing, in the home market, home-grown corn by foreign corn, would have, in the first instance, the same effect with regard to throwing the agricultural population out of employment, which displacing in the foreign market British goods by foreign goods, would have in throwing the manufacturing population out of employment. They fail to see that the country labours under complicated disease, and that the remedy which might alleviate one set of symptoms, would aggravate another.

The alarm excited in the agricultural districts by the apprehended fall in the price of produce and of stock, has partially subsided, under the expectation that the progress of agricultural improvement, accelerated by the stimulus of foreign competition, will enable the British to compete with the foreign grower. The expectation may not be altogether unfounded. It is impossible to peruse the recent publications on rural economy—Mr. Hutt's compendium of the evidence given before a committee of the House of Commons, appointed, in 1836, to inquire into agricultural distress—Remarks on the present state of Agriculture by the chairman of that committee, the present Speaker of the House of Commons—Mr. Greg's Letter on Scotch Farming in the Lothians—and Liebig's important work on agricultural chemistry—without being convinced that the resources of the soil of the United Kingdom have hitherto been very

imperfectly developed, and that large additional supplies of home-grown corn may be brought to market at prices sufficiently reduced to enable the British to compete successfully with the foreign grower. Landed proprietors and farmers, correctly judging, that, under the present altered circumstances of the country, it will be impossible to retain the laws for keeping the price of the people's food at an artificial elevation, are even now preparing, by increased skill and economy in the management of their land, to grapple with the keener competition and lower prices, which the removal of all restriction on the importation of foreign agricultural produce cannot fail to occasion. That the contemplated agricultural improvements may be extensively realized, and that, if realized, they must augment the wealth of this country, and, *ultimately*, give increased employment to the population, cannot admit of question. But, in the present transition state of England, it behoves us to look, not to *ultimate* but to *proximate* results. It is the business of the practical statesman to consider, not whether additional millions may be hereafter fed, but whether existing millions can now be saved from destitution. The question which is immediately before us, and to which, for the present, our attention should be exclusively directed, is, whether the increased skill and economy in the management of land, now in progress, can have the effect, in the first instance, of preventing masses of the rural population from being thrown out of employment.

It is on all hands admitted, that the general adoption, throughout the United Kingdom, of the system of Scotch farming practised in the Lothians, would effect a very considerable increase in the quantity of home-grown produce. Mr. Oliphant, M.P. for Perth, a landowner, and an extensive practical farmer, affirms, in his evidence before the Parliamentary Committee on the State of Agriculture, that upon the soil of England the produce might, with very

great ease, be doubled ; and further states, that he thinks there are many thousand acres of the best land in England, yielding only one-fourth part of the produce which a very small amount of intelligence and industry might cause them to supply. Mr. Smith, of Deanston, informs the committee, that the improvements upon his farm in Perthshire, had raised its value from 15s. to 2l. per acre ; and asks, “ if his land could, by these improvements, be doubled in value, why not English farms by similar improvements ? ” Mr. Greg, after having visited Scotland for the express purpose of personally inspecting the state of agricultural improvement in that country, makes the following statement :—“ The general conviction which remains upon my mind is, that with a system equal to that of the Lothians, established throughout England, landlords might receive double rents, farmers be rendered rich and prosperous, and the country be rendered for two generations independent of foreign supplies, notwithstanding the abolition of all protecting duties. *I am confident that the agricultural produce of England, Wales, and the west of Scotland, might be doubled ; and that of Lancashire and Cheshire tripled, without any material addition to the agricultural population.* ” He adds, “ Few parts of Scotland have improved more than Perth, which exported 100,000 tons of potatoes last year to London. *The population, however, seems actually to have diminished since the census of 1830.* ”

It is abundantly evident that, could the contemplated agricultural improvements be realized, the wealth of the country would be proportionably increased ; but it is equally evident that, if realized, their *first effect* would be, to throw a wide extent of land out of tillage, and a large proportion of the rural population out of employment. In average years, the United Kingdom already yields a supply of corn nearly sufficient for the consumption of its

inhabitants. This being the case, the necessary consequence, not of quadrupling, or trebling, or doubling that supply, but of increasing it by one fourth, would be *to supersede the cultivation of one-fourth of the kingdom*. As regards the throwing out of inferior soils, and of the labour employed upon them, the effects of creating a sudden increase in the supply of domestic produce would be identical with that of importing an equally increased supply of foreign produce. In either case, the first result would be, a period of transition and revulsion, during which a portion of the rural population would be reduced to destitution.

Again, the establishment, throughout the United Kingdom, of a system equal to that of the Lothians, would, in the first instance, diminish the demand for labour, not merely in the inferior districts thrown out of tillage, but also upon the superior lands to which the improved system should be applied. The system of agricultural improvement which has been adopted with so much success in the Lothians, consists in economy of management, shown in division of employment, confining the attention of the farmer to as few points as possible—in a due rotation of crops, so as to have no land lying idle or unproductive; and “*in the use of machines and horses instead of manual labour, wherever circumstances admit of it.*” “The steam engine, upon Lothian farms now almost universal, is rapidly spreading throughout Scotland, and is superseding the use of horse power for driving the threshing machine and other farm work. The threshing machines are infinitely superior to the miserable machines creeping into use in the south of England, and turn out wheat ready for the sack, in superior condition, and less damaged than when threshed with the flail.” Such is the system of improved farming practised in the Lothians, as that system is described by its able advocate, Mr. Greg. It would be superfluous to enter upon any proof of the proposition, that,

by the employment of steam and horse power and mechanical inventions for performing on the land the work now executed by manual labour, the demand for that labour must be diminished. Mr. Greg himself appears to be aware of this result, inasmuch as he admits that while few parts of Scotland have effected greater agricultural improvements than the county of Perth, the population has actually diminished since the census of 1830; and as he alludes to the fact, that a few years ago the employment of an inferior kind of threshing machine in the south of England was abandoned, on the recommendation of the magistrates, in order to arrest the outrages of the peasantry whose labour it displaced.

The *ultimate effect* of every new application of mechanical power, causing the same quantity of work to be executed by fewer hands, is to increase national wealth, and to enlarge the field of employment. The *immediate effect* of every such improvement is to diminish the demand for labour in the particular trade to which it is applied. The employment of steam in the fabrication of linen yarn, threw a severe and protracted pressure on the spinners, by whom the domestic manufacture had been previously carried on. The introduction of the power loom placed the hand loom weavers on the verge of starvation. The immediate effects upon the condition and temper of the rural population, by substituting mechanical power for manual labour, in the universal trade of agriculture, may be readily conceived, but not easily described.

The consequences of introducing the Scotch system of farming into Ireland would be terrific. In the Lothians the farms range from 300 to 500 acres and upwards, and the general complement of labour for 100 acres, is two pair of horses, two ploughmen, and one labourer, giving a population of three families for 100 acres: throughout a great part of Ireland, the holdings are from ten acres to five

acres, and less, giving a labouring population of upwards of ten families for 100 acres. Introduce the Scotch system of economical farming, and more than one-half of the rural population will be deprived of their accustomed means of existence. The Celtic hordes will migrate and swarm into Britain. Wheat-fed, decent-clad, cottage-lodged England will disappear under the avalanche of potatoe-and-weed-fed, half-naked, mud-lodged Ireland.

*On the manner in which a Repeal of the Corn Laws, or an Increase of Home Production equivalent to such Repeal, would lower Rents.*

On every side difficulties surround us. From the decreasing difference between the efficacy of British and of foreign labour, and from the impediments thrown in the way of our export trade by hostile tariffs, money-wages in England have fallen, and may probably continue to fall until they descend even below the continental level. Under these circumstances, the condition of the manufacturing population of Britain must be degraded below that of the same class in rival manufacturing countries, unless the prices of necessities in England can be made to approximate to their prices upon the Continent, either by a large importation of foreign corn, or by a greatly increased home production. But as the United Kingdom grows, in average years, a supply of corn nearly equal to the home consumption, a large addition to that supply, whether obtained from abroad, or from the contemplated improvements in agriculture, must throw extensive tracts of inferior land out of cultivation. The immediate effect of this contraction of the field of tillage upon the condition of the rural population I have already endeavoured to trace. The manner in which, in the first instance, it must affect the proprietors of the soil remains to be shown.

Ricardo has demonstrated that agricultural improvements

lower rents. As the subject is of great importance, I will present the demonstration in the words of its distinguished author.

After showing that the rent of land must fall as the wealth and population of a country decrease, he proceeds as follows :—

“ The same effects may, however, be produced, when the wealth and population of a country are increased, if that increase is accompanied by such marked improvements in agriculture, as shall have the effect of diminishing the necessity of cultivating the poorer lands, or of expending the same amount of capital on the cultivation of the more fertile portions.

“ If a million of quarters be necessary for the support of a given population, and it be raised on lands of the qualities Nos. 1, 2, 3 ; and if an improvement be afterwards discovered by which it can be raised on Nos. 1 and 2, without employing No. 3, it is evident that the immediate effect must be, a fall of rent ; for No. 2, instead of No. 3, will then be cultivated without paying any rent ; and the rent of No. 1, instead of being the difference between the produce of No. 3 and No. 1, will be the difference only between No. 2 and No. 1. With the same population, and no more, there can be no demand for any additional quantity of corn ; the capital and labour employed on No. 3, will be devoted to the production of other commodities desirable to the community, and can have no effect in raising rent unless the raw material, from which they are made, cannot be obtained without employing capital less advantageously on the land, in which case No. 3 must again be cultivated.

“ It is undoubtedly true that the fall in the relative price of raw produce, in consequence of the improvement in agriculture, or rather, in consequence of less labour being bestowed on its production, would naturally lead to increased accumulation ; for the profits of stock would be greatly augmented. This accumulation would lead to an

increased demand for labour, to higher wages, to an increased population, to a farther demand for raw produce, and to an increased cultivation. It is only, however, *after* the increase in the population, that rent could be as high as before; that is to say, after No. 3 was taken into cultivation. *A considerable period would have elapsed attended with a positive diminution of rent."*

This reasoning, as it appears to me, is quite perfect. The rent of the first quality of land is the difference between the return yielded to a given amount of capital by the first, and the last qualities of soil under cultivation. It is self-evident that the difference between No. 1 and No. 2 is less than that between No. 1 and No. 3; and it is equally self-evident, that if No. 3 be thrown out of cultivation, either by increased imports, or by improvements in agriculture, the rent of No. 1 will be reduced.

Mr. Malthus, an authority far inferior to Ricardo, attempted to refute the doctrine, that improvements in agriculture may lower rents; but his pretended refutation was based upon the invented fact, that improvements in agriculture could not be effected without causing such a contemporaneous increase in the population, and consequently in the demand for raw produce, as would prevent the throwing out of inferior land. Grant to Mr. Malthus his invented fact, assume that population and subsistence must always increase simultaneously, in an equal ratio, and then it will follow as a necessary consequence from the principles established by Mr. Ricardo, that agricultural improvements can neither reduce the price of food, nor throw out inferior lands, nor lower rents. But if a total repeal of the Corn Laws, or a general adoption of an improved system of agriculture, can furnish an increased supply of produce sufficient to bring down the prices of the necessaries of life to the Continental level, and thereby to prevent the condition of our manufacturing population from being degraded



below that of the same class in other manufacturing countries, then there will be, in either case, a considerable interval during which inferior lands will be thrown out of cultivation, and rents on all the better soils reduced.

Proprietors and farmers would labour under a fatal delusion were they to imagine that the maintenance of any scale of protecting duties could prevent, in the present condition of the country, a fall in prices and in rents. The retention of protecting duties, in rendering the collapse less sudden and severe, would render it permanent and incurable. Should the fall in money-wages be mitigated to the manufacturing masses by a total repeal of the Corn Laws, agricultural distress will appear under the form of an acute paroxysm, to be followed by reaction and convalescence :—Should the Corn Laws be retained, chronic constitutional disease falling on the functions of life, will terminate in hopeless debility and decline. In the former case, foreign commerce and town employment, though at wages reduced to the competition level, will continue to increase ; and the consequent increase in the manufacturing population, and in the demand for the non-importable products of the soil, will compensate the agricultural interest, to some extent, for the diminished consumption of home-grown corn, which the farmer would still be able to sell at prices higher by the expense of carriage than those realized by the foreign grower. In the latter case, the restriction on the importation of raw produce would co-operate with foreign rivalry and hostile tariffs, in limiting the exportation of wrought goods ; trade would continue to contract ; masses of the town population, unable to obtain employment even at real wages reduced below the Continental level, would perish from the face of the earth ; the home consumption of all agricultural produce would diminish ; England, instead of importing, would export corn ; and the British farmer, instead of being able to sell his produce in the

home market, at prices higher by the expense of carriage than those realized by the foreign grower, would be compelled to dispose of it in foreign markets, at prices lower, by the expense of carriage, than those obtaining in the neighbouring countries.

*On the Comparative Increase in the Value of Money in this Country.*

We have seen that productive power, outgrowing the field of employment, decreasing difference between the efficacy of British and foreign industry, and hostile tariffs drawn every where around us, are reducing the value of the produce of British labour, compared with the produce of foreign labour. Now, gold and silver are products of foreign labour, and are, therefore, in common with the other products of that labour, acquiring a higher value in relation to British labour and its products. The results of any given portion of British industry continue to command a diminishing quantity of the precious metals; general prices fall, or, in other words, the value of money rises.

The rise in the value of the circulating medium will be disastrous to all classes of the community, with the exception of the monied capitalist, and the recipients of fixed money incomes. The landed proprietor whose estate is encumbered, may see it pass from his family to the mortgagee; the farmer who is tied by his lease to a fixed money rent, instead of realizing profit, may find his capital melting away; and the trader who deals upon long credit, or with borrowed money, may be unable to make good his engagements. Great pecuniary pressure, and wide-spread insolvency, are the inevitable results of any considerable or continuous rise in the value of the medium of exchange.

It may be expected that the rise in the value of money, with its necessary consequences, the loss of estates, the destruction of capital, the depreciation of stock, the fall of

profits, and the increased pressure of taxation, will cause discontent and disaffection to extend beyond the working classes. Questions the most difficult and embarrassing may arise. Can the present standard of money be maintained? Can the taxes be collected? Can public credit be upheld? Influential classes, encumbered by settlements and mortgages, and other fixed money payments, may now, as formerly, look for relief through an action on the currency. Others may again urge an equitable adjustment with the public creditor; while the suffering millions, attributing the universal pressure to the errors of the government, may demand, with a voice of prevailing power, organic changes incompatible with monarchical institutions.

Not the least formidable of the social dangers to be apprehended from the present economical condition of the country are, an extensive disfranchisement of the parliamentary constituency—a total exclusion of the working classes from all participation in the representative system. With a prosperous commerce, with good wages, full employment, and a low value of money, a large proportion of the skilled labourers of the parliamentary boroughs might be ten pound householders; while a still larger portion of the young and intelligent workmen might be reconciled to the existing state of the representation, by the expectation of becoming, through industry and economy, ultimately possessed of the franchise. But would it be possible to maintain the money qualification, established by the Reform Act, under a continuous fall of money-wages? Would it be possible to preserve the peace of the country under the aggravated discontent created by increasing physical privation, combined with extensive and hopeless political proscription? Never before were the monarchical institutions of England exposed to a peril so imminent as that which, under the circumstances glanced at, would be

near at hand. Should the causes which have hitherto led to the decreasing money value of British labour and its products continue in uncounteracted operation, the constituted authorities may find it difficult to confine the next extra legal struggle within the limits of urban outbreaks or of rural burnings.

*On the Question, What will the Peace with China do for us ?*

Will the peace with China, and the opening of additional ports in that extensive Empire to British enterprise, tend to counteract the operation of the causes which have reduced the value of the produce of labour in this country, and which, if their effects cannot be counteracted, must lead to the calamitous results which I have attempted to trace out? This is an important question, worthy of the deepest consideration.

The immediate effects of the peace with China will be, a speculative demand for British goods. This speculative demand, which is already in progress, will cause some revival of trade in the manufacturing districts. The mills will be in fuller action, the operatives in fuller employment; and wages, so far from continuing to decline, will probably advance. Could this happy change be permanent, our fears for the future might be cast away. But this can scarcely be expected. All our past experience forewarns us that this new excitement will lead to a collapse. The powers of production in this country have outgrown the ordinary field of employment to such an extent, that on every occasion, upon which a sudden opening to foreign markets has occurred, British fabrics have been thrown upon them in ruinous excess. On the opening of the trade with North America, after the revolutionary war—on the opening of the Brazilian and Buenos Ayrean markets to

England—on the opening of the European markets in 1814—and on the opening of the Indian market on the abolition of the East India Company's monopoly; on all these several occasions, commercial speculation was carried to excess, the new markets were glutted with British goods, property was sacrificed to an enormous amount, and the temporary excitement was followed by protracted depression. This in its turn passed away, and was succeeded by a permanent expansion of the foreign market, which expansion, though far within the expected limits of the first over sanguine adventurers, was nevertheless sufficient to occasion some improvement in profits and in wages until, from the renewed operation of the causes I have endeavoured to explain, the powers of production again outgrew the field of employment. A similar sequence will now recur. We shall have excitement, collapse, revival, and temporary recovery; leaving us, until the ever-working causes of decay creep on, in possession of something more than normal vigour. What will be that something more? Will the opening of new markets in China so extend the field of employment, as to arrest that downward progress of profits and of wages, which has spread destitution and danger throughout the land? Let us endeavour to arrive at a correct solution of these important questions. In taking a comprehensive survey of the condition of England, we must look beyond the immediate prospect, and contemplate the wide expanse spread out before us.

The most beneficial commerce carried on by independent states, is that between a densely peopled country, possessed of manufacturing advantages, and a thinly peopled country, possessed of fertile wastes. Every interchange of products between two countries thus circumstanced, tends to enlarge the field of employment in both. The reason is obvious. Every interchange of their respective commodities replaces, by a direct operation, the elements of capital by the ex-

penditure of which they were produced. The process may be traced as follows :

In manufacturing industry, the elements of capital expended are, wrought articles, such as clothing and implements prepared in the manufactory, and raw produce, such as food and material obtained from the soil ; and, in agricultural industry, the elements are resolvable into raw produce, such as seed and food raised from the soil, and wrought articles obtained from the factories. When the manufacturer gives to the farmer the wrought articles expended on the farm, in exchange for the raw produce consumed in the factory, the elementary cost of production is replaced to both ; and by means of the reciprocal aid which they thus lend to each other, the two great divisions of industry may be carried on to an indefinite extent. Let us illustrate this by an example.

A, a manufacturer in England, expends in his factory wrought articles equivalent to 100 bales of cloth, and raw produce equivalent to 100 quarters of corn, and with this expenditure produces wrought articles equivalent to 240 bales ; while B, a farmer in America, expends upon his farm, raw produce equivalent to 100 quarters of corn, and wrought goods equivalent to 100 bales of cloth, and raises crops equivalent to 240 quarters. These being the conditions of the expenditure, and of the reproduction, A exchanges with B 120 bales, for 120 quarters, and the result consequently is, that each has his elementary advances replaced to him, with an increase, or profit, of 20 per cent. ; and is furnished with the means of renewing his operations upon a more extended scale. While additional land of a fertile quality can be resorted to, there can be no natural limits to this process. A may advance, not 100 bales and 100 quarters ; but 1000 bales and 1000 quarters ; and produce, not 240 bales, but 2400 bales, provided B, increasing his capital in the same pro-

portion, advances 1000 quarters and 1000 bales, in re-producing 2400 quarters for the exchange of 1200 bales; for 1200 quarters will now replace, as effectually as in the former case, the advances of both with a profit of 20 per cent.

This illustration goes to prove, that if a perfectly free trade had been established between England and the United States; and if, as in this case would have been highly probable, agricultural capital in America, had increased in the same ratio as manufacturing capital in England, the power of production in England could not have outgrown the field of employment; demand would have increased in the same proportion as supply; the value of British fabrics could not have fallen in relation to the elementary cost of their production; and no decrease, either in profits or in wages, could have taken place.

As the most beneficial commerce is that which takes place between a densely peopled country, possessed of manufacturing advantages, and a thinly peopled country possessed of fertile wastes, so the least beneficial is that which is carried on between two densely peopled countries, neither of which is in a condition to export raw produce. If a perfectly free trade were established between England and France, and if England supplied France with cottons, while France supplied England with silks, then silks would be rendered cheaper in England, and cottons cheaper in France. This, however, would be the whole of the advantage. The field of the employment, the amount of labour and capital beneficially vested in production, could not be increased in either country by this species of international exchange. It is self-evident that no additional labour and capital can be employed in manufactures, unless additional supplies of food and of raw material can be obtained. But by the supposition France does not supply England with corn and cotton wool, and England does not supply France

with corn and raw silk. On the establishment of free trade between the two countries, the cotton wool previously imported into France would be brought to England, and then sent to France in a manufactured state; while the raw silk previously imported into England would be imported into France, and sent to England in the form of finished goods; but the aggregate quantity of food and of raw material, and, consequently, the aggregate amount of labour and capital which could be beneficially employed in manufacturing industry, would remain precisely as before.

It may, perhaps, be objected to the views here presented, that as silks become cheaper in England, and cottons in France, consumers might desire to purchase these articles in greater quantities; and that an increased effectual demand would be thus created, requiring for its supply an increased employment of capital and labour. This objection will be found, upon strict inquiry, to be utterly untenable. In order to create an increased effectual demand for manufactured goods, an increased quantity of the ingredients of capital expended in their production must be offered in exchange for them. But muslins are not the ingredients of capital consumed in the production of silks; nor silks the ingredients which enter into the elementary cost of producing muslins. These articles cannot reproduce each other; and, therefore, cannot become instruments of effective demand for each other. The analytical investigation pursued through the following illustrative cases will probably be found to show, with more clearness and precision than can be obtained by a statement of the general argument, that it is utterly impossible that finished goods, not consisting of necessary clothing, should in any way directly contribute to create an effectual demand for each other.

#### CASE I.

A, an English manufacturer, has a capital consisting of



1000 quarters of corn, and 1000 bales of cotton wool, equal in cost and in value to 1000 quarters; and by the advance of those elements of reproduction works up 3000 bales of muslin.

B, a French manufacturer, has a capital of 1000 quarters of corn, and 1000 bales of raw silk, equal in cost and value to 1000 quarters; and by the advance of these elementary ingredients of manufacturing capital, works up 3000 bales of silk goods.

C, an agriculturalist in a third market, has a capital of 8000 quarters of corn, and by its expenditure, raises 10,000 quarters of corn, together with 1000 bales of cotton wool, equal in cost and value to 1000 quarters and 1000 bales of raw silk, also equivalent to 1000 quarters.

Under these circumstances, a quarter of corn, a bale of muslins, and a bale of silk, will be equal to each other in productive cost; and therefore, assuming demand and supply to be equal, and a free trade to be established between England, France, and the third market, exchanges will be effected on the following terms.

A will replace the ingredients of his capital by giving C 2000 bales of muslins, for 1000 quarters of corn, and 1000 bales of cotton wool; and will have, after these replacements, a surplus of 1000 bales of muslins, 500 of which he will exchange with B for 500 bales of silk.

B, in like manner, will replace his advances by giving C 2000 bales of wrought silks for 1000 quarters of corn, and 1000 bales of raw silks; and will have remaining a surplus of 1000 bales of silks, 500 of which he will, as above, exchange with A for muslins.

C replaces his capital by retaining in his own hands 8000 quarters of corn, and will have, after this replacement of his cost, a surplus of 1000 bales of cotton wool, and 1000 bales of raw silks, which he will exchange, as above, with A and B, for finished articles fit for immediate

consumption. When their exchanges are effected each of the three producers will have his capital returned, with an increase, or profit, of 25 per cent.

### CASE II.

The previous circumstances being as described in Case I, C, the agriculturist in the third market, continues to employ the same capital as before, while A and B, under the expectation of being able to supply each other with increased quantities of muslins and silks, become desirous of increasing their production of these articles. To effect this, they treat as capital, the 1000 bales of muslins, and 1000 bales of silk, which they had formerly expended on immediate enjoyment, and offer them to C in exchange for additional quantities of corn and of raw materials. But no increased quantity of these elements of reproduction is attainable. Formerly, as seen in Case I, they offered 4000 bales of wrought goods, for 2000 quarters of corn, and 2000 bales of raw materials; and now, for these same quantities of food and material, they offer 6000 bales of finished goods. This increase in the demand for food and raw material, and in the supply of finished goods, alters the value of the two classes of commodities in relation to each other; and A and B by their abortive attempt to increase their manufacturing capitals, while there is no corresponding increase in the agricultural capital by which the elements of reproduction are supplied, have sacrificed their savings from immediate expenditure without being able to extend their operations.

### CASE III.

C increases his capital by savings from his immediate expenditure, takes in additional land, and thus augments his disposable surplus of food and raw materials from 2000 quarters of corn, 1000 bales of cotton wool, and 1000 of

raw silk, to 3000 quarters, 1500 bales of cotton, and 1500 bales of silk. This restores the equilibrium between supply and demand, and enables A and B to obtain, in exchange for their 6000 bales of finished goods, 3000 quarters of corn, and 3000 bales of raw material, instead of 2000 quarters and 2000 bales, as in Case 2. They are now in a condition to extend their operations with advantage. Their elements of manufacturing capital, and their reproduction of finished goods, are increased by one-half, while the rate of their profit is maintained at 25 per cent.

These illustrative cases serve, as I conceive, to demonstrate the important practical principles, that the commerce which consists in the interchange of commodities not applicable to reproduction, cannot enlarge the field of employment ;—that an increase of manufacturing capital, when not accompanied by a corresponding increase of the capital which supplies the raw produce constituting the elements of reproduction, instead of occasioning an advance of profits and wages, has a tendency to reduce and annihilate both ;—and that when profit disappears, and labour cannot find advantageous employment, the only species of foreign trade which can afford permanent relief, is that which furnishes increased supplies of food and raw material.

These principles, demonstrable in theory, may be practically proved by a reference to the comparative amount of our trade with the United States, and with China. A person unacquainted with all our existing relations with these countries, and only cognizant of the facts, that America is a thinly peopled country, raising a surplus supply of food and raw material, and that China is a densely peopled country, raising a deficient supply of food, might at once predict, from the acknowledged principles of trade, that our commerce must be more extensive and more valuable with the American Union than with China. The prediction would be amply verified by a reference to the custom-house

returns. In the tables of the trade of the United Kingdom it appears, that from 1831 to 1840 the average declared value of our exports to India, including China, was 4,456,000*l.*, while the average declared value of our exports to the United States was 7,800,000*l.* The population of India and China is 400,000,000; that of the United States 14,000,000. Seven of our American customers take as large a quantity of our goods as four hundred of our Asiatic customers. Our export trade to the United States, with their population of 14,000,000, is nearly twice as great as our export trade to China and India, with their population of 400,000,000 !

But to a country in the condition of England, the importance of a foreign market must be measured not by the quantity of finished goods which it receives, but by the quantity of the elements of reproduction which it returns. In a densely peopled manufacturing country importing raw produce, the field of employment is extended, and the demand for labour increased, not by exporting a greater quantity of finished goods, but by importing a greater quantity of food and materials. Measure the comparative importance of our trade with America and China by this criterion. Our principal return from the United States is cotton wool; from China, tea. Stop our imports from the United States, and our manufacturing millions perish; suspend our imports from China, and not a hand will be thrown out of work. Establish a free trade with the thinly peopled Continent, capable of furnishing you with unlimited supplies of food and materials in exchange for finished goods; and the field of employment, and the demand for labour, receive an indefinite extension. Establish free trade with the densely peopled Continent, supplying in exchange for your finished goods an agreeable beverage, not an element of reproduction, not an article upon which labour can be employed, or by which it can be subsisted

while at work, and you may diminish to the consumer the price of a comfort, regarded by many as a semi-necessary, but you cannot thereby secure the substantial advantages of raising profits, advancing wages, and preventing destitution. These benefits, no extension of trade, save that with a country capable of giving raw produce in exchange for finished goods, can by possibility confer. It is strictly demonstrable, that the advantage resulting from that species of commerce which consists of the interchange of goods not employable in reproduction, is limited to the cheapening of such goods to the consumer; and does not extend to those classes whose earnings are no more than sufficient to supply them with the necessities of life.

It is doubtful whether the economical condition of the Chinese Empire admits of any very considerable extension even of that species of commerce which cheapens to the consumer articles of superfluity or luxury, without enlarging the field in which labour can be advantageously employed. China already takes as great a quantity of British goods as she has the means of paying for; and it seems difficult to imagine by what process the opening of additional ports to our trade can increase her power of making remittances to this country.

Had our trade with China been obstructed by the difficulty of exporting British goods to that country, then the opening of the ports of China to our shipping might have removed the obstacle, and extended trade. But there has been no practical difficulty in introducing British goods into the Chinese markets to the fullest extent to which China has possessed the power of returning equivalents. Ever since the abolition of the monopoly of the East India Company, the port of Canton has been open indiscriminately to the merchants of the united kingdom; and though the authorised trade has been confined to that single port, yet the outside and illicit trade has been carried on without

limit along the coasts, and through the island groups, from Canton to the Yellow Sea. Again, though the authorised importation of British goods in British bottoms, has been limited to the port of Canton, yet the Chinese junks trading to Formosa, to Cochin China, to Siam, to Birmah, to the ports of the Indian Archipelago, and, above all, to Singapore, have trafficked in British goods to an extent having no practical limit save that created by deficient means of purchasing. Through all these various channels our exports to China in woollens, in cottons, in metals, and in opium, have been pushed to such an extent, that their amount has considerably exceeded that of the enormous importations of tea into this country; and that China has been compelled to pay a balance in specie so large as to excite the most serious apprehension in the Chinese government. This fact is officially announced by Captain Elliot, in a dispatch to the Secretary of State:—"The immense increase of the supply during the last four years, the rapid growth of the east coast trade in opium, and the continued drain of the silver, have, no doubt, greatly alarmed the government." To expect any considerable extension of trade with a country which the accustomed channels of communication have thus supersaturated with British goods, is purely chimerical. This is proved by unquestionable facts. Since the abolition of the monopoly of the East India Company, the exports to China from the united kingdom have not increased, but diminished. From 1803 to 1833 the exports of the East India Company to China averaged, for woollens alone, 1,128,557*l.*; while in 1839, after all the advances made by Great Britain during the interval, in arts, in wealth, and in enterprise, and under a system of free trade, instead of monopoly, the declared value of British produce and manufactures, of every kind, exported from the United Kingdom to China, had actually diminished to 871,969*l.*

It may be urged as an objection to the views here presented, that the opening of ports more conveniently situated with regard to the tea districts, will enable us to import increased quantities of China's staple product; and that, through this increased demand for her tea, China will be enabled to purchase increased quantities of British goods. The objection would be valid were the assumption upon which it is founded conformable to fact. *If* England should acquire the power of purchasing a greater quantity of tea from China, China would acquire the power of purchasing a greater quantity of goods from England. But the question at issue turns upon the *if*. By what conceivable process can the opening of additional ports on the coast of China confer upon the consumers of tea in England the power of paying for that article larger sums than they have at present the means of paying? The power of purchasing is determined by the power of production. Could the opening of additional inlets to the markets of China give to England increased quantities of the elements of reproduction, then England, by acquiring the means of producing more, would also acquire the power of purchasing more. Did the economical condition of China permit her to supply us with food and raw materials, then the opening of new inlets to her markets might enable us to purchase from her more largely, because the importation of a larger quantity of these elements would cause the reproduction of a larger quantity of equivalents for re-exportation. The elements, not consumed, but transformed, would balance the debt their importation had incurred. The act of purchasing would create the means of payment; and there would be no assignable limit to the extension of our exports to China, save that of her inability to furnish us with increasing quantities of food and materials. But such results cannot be obtained from the trade in tea. The commerce in that article leads to no re-creation. We cannot by the purchase

of increased quantities of tea enable China to purchase increased quantities of British goods ; for the simple reason, that the purchase of an increased quantity of tea could not be continued. The importation of additional millions of pounds of this article could not enable us to produce one additional pound of any article of exportation. Our power of purchasing additional quantities of tea from China, and of thereby enabling her to purchase additional quantities of British goods in return, is altogether dependent on our ability to procure additional quantities of food and materials in exchange for additional quantities of manufactured articles. Extend our trade with countries in the economical condition of Canada and the United States, and we shall be enabled to extend it with countries in the economical condition of China. Throw open additional supplies of the elements of reproduction, and we shall create equivalents for an extended commerce in articles of unproductive consumption. China cannot take additional quantities of British fabrics until the consumers in England are enabled to pay for additional quantities of the products of China ; and the consumers in England cannot pay for additional quantities of the products of China, until, through an enlightened system of commercial and colonial policy, there shall be an extension of those exchanges which enlarge the field of employment, and increase the profits and the wages of the industrious classes.

Has it entered into the hearts of statesmen to conceive that the economical condition of China may be forcibly inverted ; and that, through the operation of a less restricted trade with England, that densely peopled manufacturing country may be brought to export raw materials in exchange for finished goods ? It is unquestionable that this species of interchange would increase the field of employment in England. What would be its effects in China ? Manufacturing industry is there carried to an



almost immeasurable extent. A population of 300,000,000 are clothed with home-made fabrics. Let our steam engine crush the native looms—let China send her raw silk, her cotton wool, and her flax, to be manufactured in England, and take the finished fabrics from us in payment, and a revulsion will be produced more calamitous than any which has hitherto visited the world. The destitution which fell upon the hand-loom weavers in this country on the introduction of the power-loom, faintly exemplifies, upon a contracted scale, the desolation of China as her countless artisans were deprived of employment, “and starving millions perished on her shores.” All that Africa has suffered from the traffic in human flesh—all that South America endured from the remorseless avarice of the Spanish invader, would appear as nothing in contrast with the measureless evil which England would inflict on China by superseding her native manufactures, and purchasing her raw produce with finished goods. Whether the authors of the opium war engaged in the contest with the secret design of inflicting upon China the insidious poison of a depopulating commerce, can be known only to the Searcher of Hearts; and whether the new order of things, now about to be established, will be permitted to lead to this calamitous change in the economical condition of China, must be left to Him in whose hands are the destinies of nations, and who, for purposes unsearchable by human intellect,

“ Pours fierce ambition in a Caesar’s mind,  
And turns young Ammon loose to scourge mankind.”

If we may be permitted to interpret the signs of the times, and hazard a conjecture of the future, the economical condition of the Chinese empire is not destined to be suddenly and disastrously reversed. The authors of the opium war have been struck powerless. China, even while we grasped her arteries, struggled to throw off the poisoned trade-mantle. That she will evade, and ultimately

resist, any attempt, should such be made, to force upon her commercial regulations destructive of her native industry, can scarcely be doubted. We have given her brave and ingenious people lessons in the art of war by which they will not fail to profit. French and Russian officers will become her instructors in military science ; and should any future ministry venture to invoke a second commercial crusade, the contest will not be a " little war." The peace so auspiciously proclaimed in Asia, it cannot be the interest of this country to disturb. The project, were it ever entertained, of relieving the distress of England through the depopulation of China, is unattainable.

A memorial on the subject of our trade with China was addressed to the head of the government in July 1842, by two hundred and thirty-five merchants of the highest standing. After stating the fact, that, since the abolition of the monopoly of the East India Company, and the opening of the trade with China to individual enterprise and competition, the export of British goods to China, instead of increasing, had declined ; the memorialists urge the expediency of repressing the opium trade, in order that the Chinese may receive, in payment for their teas, not that deleterious Indian drug, but British manufactures. The change thus recommended would be most desirable, but it is not in the power of the British government to effect it. Could British subjects be prevented from engaging in the opium trade, the subjects of other states would eagerly pursue the traffic we had abandoned. Were the cultivation of opium prohibited in India,\* it would extend in Java. So long as there shall exist in China an intense demand for opium, so long will that demand be supplied, either by the legitimate trader, or by the smuggler. We have seen that the utmost efforts of the despotic government of China have proved insufficient to prevent a rapid extension of the illicit trade. That it was in the highest degree discreditable

in the Indian government to countenance the opium trade, and to participate in the profits of the illicit traffic by forcing the cultivation of the drug; and that that countenance and that participation should be, with all convenient speed, abandoned, cannot admit of question. But to alter the inveterate habits of the Chinese, and to induce them to give up their opium in order to purchase British goods, would be a hopeless task.

The East India Association of Glasgow have also addressed a memorial to the First Lord of the Treasury, on the subject of our commercial intercourse with China. This memorial, coming from persons of the greatest intelligence and experience, is worthy of all consideration. It sets forth that, under existing circumstances, an increased exportation of British goods to China is impracticable; that the greater freedom given to the trade by the breaking up of the East India monopoly, was followed, not by the expanding markets which sanguine speculators anticipated, but by an actual diminution of our exports; that tea is the only important staple with which China can purchase British goods; and that, unless a change in our commercial relations with that country be effected, the speculative improvement in the trade caused by the cessation of hostilities, cannot be maintained; and that "the existing excitement is founded on delusion, and certain to produce the most calamitous results." From these facts, the memorialists infer, that an increased consumption of tea in this country presents the only practicable means through which our exports to China can be extended; and, in order to induce this increased consumption, they pray that the duty upon tea may be reduced.

The facts set forth in the Glasgow memorial are correct, and the inference drawn from them strictly logical. Should the duty on tea be reduced, its consumption would be increased; and, should we import a greater quantity of tea from

China, China (assuming that her demand for opium, hitherto increasing in a geometrical ratio, became stationary) would be enabled to purchase a greater quantity of British goods. So far the statements and inferences of the Glasgow memorialists are unanswerable. But the question of questions remains behind. The consumption of increased quantities of teas could not enable England to reproduce increased quantities of finished goods. To accomplish this, increased quantities of the elements of reproduction must be obtained. Under what conditions can increased quantities of these elements be procured? We cannot sell increased quantities of finished goods to China, without buying increased quantities of raw materials; we cannot purchase increased quantities of these, without increasing the supply of our finished goods in foreign markets, and the demand for foreign produce in the home-market. We cannot effect these changes in the relation of demand to supply without lowering the value of our finished goods in relation to their elementary cost; and this we cannot do without creating a necessity for a farther decline of wages\*. On whatever side we turn, the same appalling difficulty meets us. In the actual condition of England, the real field of employment is that which yields food and raw materials in exchange for finished goods; and unless this field can be extended, the hope of arresting the progressive decline of wages will prove the "baseless fabric of a vision."

Though it would be visionary to expect that the renewal of our friendly relations with China can counteract the causes which are narrowing the field of employment in England, and gradually degrading the condition of the people; and though the speculative demand for goods for exportation, created by the opening of the Chinese ports, may on this, as on other analogous occasions, lead to over-trading, and terminate in increased depression, yet the

\* See Appendix.

temporary mitigation of distress which has occurred, may, under judicious management, conduce to permanent advantage. The palliating stimulus, though not reaching the cause of the disease, may support the patient until constitutional remedies can be applied. An enlightened statesman will seize the opportunity which the temporary revival of trade has so auspiciously presented, for preparing the large and comprehensive measures which have become necessary in order to lift the industrious masses from the degradation into which they have fallen, and to avert the peril and disorder which increasing destitution might create.

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## II.—ON THE MEANS OF REMOVING THE CAUSES OF DISTRESS.

It has been shown, in the preceding pages, that the causes of the national distress are—the participation by other manufacturing countries in those advantages which, while exclusively possessed by England, rendered the produce of British more valuable than the produce of foreign labour;—an increase in the capital and labour employed in preparing goods for foreign markets more rapid than the contemporaneous increase in the capital employed in foreign countries in supplying us with the elements of reproduction;—and the disadvantageous terms upon which the imposition of heavy import duties compels the British manufacturer to dispose of his fabrics in foreign markets. In proceeding

to consider the means of restoring prosperity, I shall, in the first instance, endeavour to explain theoretically the circumstances under which these several causes of distress might be removed; and, in the second, to show, with a reference to practical results, that ample means for the creation of these saving circumstances are placed at our disposal. The theoretical exposition will be based upon an hypothesis; the practical showing upon existing facts.

*On the circumstances under which the causes of distress would disappear.*

Let us assume as our illustrative hypothesis, that the Isle of Wight has been made to extend into the ocean until it embraces an additional territory of 180,000 square miles, or 115,200,000 fertile acres; that this additional territory (being about twice the area of the British Isles) is capable of yielding provisions, cotton, wool, flax, hemp, silk, tallow, hides, and timber; that it consists of unreclaimed crown lands, and that the Commissioners of Woods and Forests, adopting the American system of alienating the national domain, offer the new territory to public competition at a uniform upset price of 10*l.* per acre.

That the realization of this hypothesis would effect an important change in the economical condition of England is apparent at a glance. We have only to look at the state of the industrious classes in the United States of North America, in order fully to comprehend the character of the change. A powerful writer describes as follows, the manner in which, in that country, the possession of extensive tracts of unappropriated land, not only promotes prosperity, but counteracts and overcomes all the ordinary causes of retardation, bankruptcy, and ruin.

“America seems to have been reserved as a land of

experiment for these latter times, a vast field, in which all the lessons essential to the prosperity of Europe may be exhibited to the eye of nations. The first lesson is given in its agriculture. The husbandman of America is shown to be the true strength of the country—it is the culture of the earth that the state falls back upon in all its difficulties. All the showy expedients for fabricating wealth out of nothing, which are so familiar in Europe, are there proved to be fallacious on the largest scale of demonstration. Trading without capital, and currency without specie, are the two grand charlataneries of the world. America tries them both on a larger scale than was ever known before, and she is bankrupt every half dozen years; the paper coined by millions becomes not worth its weight in wind. Thousands are utterly ruined, tens of thousands are reduced to poverty. Yet she has such a mine of wealth in the soil, such facilities of recovery in the plough and the spade, such endless storehouses of national wealth in the forest, the prairie, and the mountain, that the national ruin is no more felt than the peasant feels the mouldering of the leaves which fell in autumn, and which are at that moment preparing a new fertility for the soil. In 1814 it is said that at least two-thirds of the traders in the United States became at once insolvent. In 1837 nearly all the cotton growers of the South became bankrupt together. In 1839 almost every bank of the leading cities stopped in a moment, including the national bank of the States. At this hour we hear nothing but cries of ruin, or of what is much more disgraceful, impudent protestations against paying any debt whatever, and base and insulting ridicule of the dupes in this country who could expect any compensation for money lent to America. Yet all this passes by; men distrust for a while, and despise for ever, but the land again brings forth her produce; the strong husbandman props up the shattered

merchant; the sale of land recruits the empty treasury; the spirit of the market restores the activity of the counting house; and the State, like a sickly patient, recovers by the diet of the farm, or like a drowned suicide is restored by the rough rubbing of peasant's hands, opens his eyes to be astonished at his own folly, and to be glad of his escape; struggles for a while against his old temptation, and finally enters the gaming house, and is ruined again, only to undergo the same process of recovery.\*

It cannot be doubted that were the potent panacea which thus nullifies the poisonous canker at the root of American prosperity, possessed by England, it would counteract and eradicate the causes of her economical disease. Let us trace the progress of the healing influence.

Our illustrative hypothesis is, that England has acquired an extension of territory in the Isle of Wight, consisting of 115,200,000 acres of fertile unappropriated land, the property of the Crown; that the new country is capable of yielding abundant supplies of corn, wool, cotton, silk, flax, hemp, tallow, and timber; and that the Commissioners of Woods and Forests offer the Crown lands to public sale, at the uniform upset price of 10*l.* per acre. It cannot be doubted that could this hypothesis be actually realized, the redundant capital and labour of the United Kingdom would flow into our miraculous island. In the existing state of things, the difficulty is not to find purchasers for estates, but to find estates for purchasers—not to obtain money upon freehold securities, but to procure freehold securities upon which money may be advantageously invested. The high prices at which the real property brought to market is immediately bought up; the facility with which money is advanced for the construction of works yielding a moderate and doubtful return; and the enormous sums seeking investment in foreign

\* Blackwood's Magazine for October 1842.



securities of the most questionable character; these manifestations of redundant and overflowing capital may enable us to form some imperfect conjecture regarding the amount which, under the circumstances assumed, would be received by the Woods and Forests for Crown lands in the Isle of Wight.

The lands thus purchased would not be left in a state of wilderness, they would be occupied and cultivated; capital and labour would be poured out upon them. The agricultural labourers who now burthen the rural parishes in England, or who stand on famine's verge in Ireland, would migrate to the newly created lands. Nor would it be from the rural districts alone that the hive would swarm. From every town "where the pale artist plies the sickly trade," the migration would proceed. There would be an intense demand for houses and other buildings, and consequently for the services of the several classes of artisans required for their construction. But this would not be all. The agricultural labourers, and the surveyors, engineers, architects, masons, brickmakers, carpenters, and smiths, would require to be supplied with articles for immediate consumption by bakers, butcher, grocers, and drapers. Struggling shop keepers, now scarcely keeping out of the Gazette, would find, in the new country, openings for a thriving trade. There would be a movement—a simultaneous rush of proprietors, of farmers, of farmers' labourers, of artisans, and of tradesmen, from original, to extended England. The *modus operandi*, by which this multitudinous migration would remove the causes of distress, remains to be traced.

I.—We have seen that a main cause of the fall in profits and in wages, has been the powers of production outgrowing the field of employment; an increase in the capital and labour employed in manufactures, more rapid than the contemporaneous increase in the capital employed in raising

the reproductive elements—the food and raw materials by which manufacturing industry is sustained. Under the circumstances assumed for illustration, this cause of distress would disappear. The field of employment would receive indefinite extension. Additional capital would be required for the purchase, the stocking, and the cultivation of the newly acquired lands, for the erection of houses for the accommodation of migrating families, and for supplying the means of transport for conveying their goods to their new abodes. Throughout all the channels of industry an accelerating impulse would be felt; and all the labour and all the capital of the country would find full employment.

Let us examine more closely the working of the machinery—let us distinctly perceive the manner in which profits and wages would be permanently advanced.

On the acquisition of extended territory, a considerable proportion of the capital and labour which had previously sought employment in the manufacturing districts, and which had there created an increased demand for raw produce, and an increased supply of finished goods, would be attracted, as we have seen, to the new agricultural districts, where it would create an increased supply of raw produce, and an increased demand for finished goods. This alteration in the relations of demand and supply would raise profits and wages in manufactures, without lowering them in agriculture. Profits and wages would be sustained in agriculture, because, in extended England, those soils would be selected which yielded largely in proportion to the hands employed; and profits would also be sustained in manufactures, because the increased supply of raw produce, with the increased demand for finished goods, would raise the value of such goods in relation to the elements of their cost. For example, if a bale of finished goods formerly cost 100 quarters of corn as wages, and 100 packs

of wool, equivalent to 100 quarters, as materials, and exchanged for 105 quarters and 105 measures, it would now exchange for some greater quantity of these elements of cost—say for 150 quarters and 150 measures. This would give an extensive margin for an increase of profits, or of wages, or of both. If wages were increased from 100 to 120 quarters of corn, profits would, at the same time, be increased from 5 to 36 and a fraction per cent.; for, in this case, the advance of the capitalist would be 120 quarters as wages, with 100 packs = 100 quarters as materials; while for this advance, equivalent to 220 quarters, he would obtain a return of 150 quarters, and 150 packs equivalent to 150 quarters. For 220, he would get 300.

There are only two possible ways in which, in manufacturing industry, profits and wages can be advanced—by diminishing the quantity of labour by which raw produce is raised; or by increasing the proportion which the capital and labour employed in raising raw produce, bears to the capital and labour employed in preparing finished goods. By either of these modes, the field of employment may be extended, and profits and wages advanced. An extension of territory, such as has been assumed, would give the benefit of both; and would effectually remove one main cause of the depression and distress with which the manufacturing population has been so severely visited.

II.—Foreign competition—the decreasing difference in the efficacy of industry throughout the commercial world, and the consequent fall in the value of the produce of British labour as compared with the produce of foreign labour—these, as we have seen, constitute a cause, the unchecked operation of which would be in itself sufficient to produce in this country a continuous decline in profits and in wages. This cause of distress our extension of territory would effectually neutralize. Under the cir-

cumstances supposed, the price of labour in England would cease to be regulated by its price in other manufacturing countries. This can be easily explained.

The degree of difference in the comparative efficacy of labour varies throughout various departments of industry. England may possess, as compared with other countries, a superiority of twenty per cent. in preparing certain articles; and, in supplying others, a superiority diminishing to ten, five, two, and one per cent.; while, in the manufacture of other descriptions of goods, foreign countries may possess a superiority over England, varying from one to twenty per cent. Now, were the field of employment, as regards the commodities in the production of which England may possess a superiority of twenty per cent., sufficiently extensive to afford occupation to the labour and capital employed by England in manufacturing for foreign markets, then money-wages might continue to be higher by twenty per cent. in England than in other manufacturing countries. But should the labour and capital employed in manufacturing for foreign markets increase to such an extent, as to be obliged to seek occupation successively in those branches of industry in which the superiority of England was only ten, or five, or one per cent., then money-wages in England could exceed money-wages in rival states only by ten, or five, or one per cent.; and, should labour and capital increase so rapidly as to be unable to find occupation without engaging successively in those branches of foreign trade in which the foreign manufacturer might possess a superiority of one, of five, of ten, and of twenty per cent., then would money-wages in England successively decline to one, to five, to ten, and to twenty per cent. below the Continental level.

It may be asked, wherefore should England, while possessing superiority over other countries in the production of various important staples, be compelled to engage in the

comparatively disadvantageous trade of supplying to foreign markets articles in which foreigners excel? Why should she not limit her transactions to those branches in which the superior efficacy of her industry might confer on the produce of her labour a high relative value? The answer to these questions is obvious. The manufacturing capital, and the manufacturing population employed in England in preparing goods for foreign markets, far exceed the proportion required for supplying the demand for those kinds of articles in the production of which England possesses superiority. The alternative is, loss and destitution, or employment at a reduced reward. The stream of capital and labour swelling beyond the alluvial plains of high productive power, irrigates tracts of less and less fertility. The least fertile become the regulator. As, in agricultural industry, the amount of profit and wages is determined by the productiveness of the most inferior soil to which it becomes necessary to resort; so, in manufacturing industry, the amount of profit and of wages is determined by the produce of labour in that branch of foreign trade in which labour is applied with the least comparative effect. Foreign competition meets us at the point where our greatest disadvantage lies. When our increasing population cannot earn subsistence in any trade, save that of supplying foreign markets with commodities in the production of which foreign labour is more efficacious by twenty per cent. than British labour, then it must follow, as a necessary consequence, that the money-wages of the English must be less by twenty per cent. than the money-wages of the foreign operative.

It will be at once perceived that the appropriate remedy against a decline of wages proceeding from the cause above explained is, such an expansion of the field of employment as would relieve the operatives of England from the necessity of furnishing to foreign markets articles in the produc-

tion of which the foreigner possesses advantages equal to, or superior to their own. This appropriate remedy our imaginary extension of territory would supply. Grant the extension of territory, and our accumulating capital and increasing population will be absorbed in extended cultivation, in the construction of buildings, roads, and bridges, and in the various trades required in supplying the secondary wants of a new and rapidly increasing agricultural population. The necessity of engaging in those branches of foreign trade in which the efficacy of foreign surpasses that of British industry, would no longer exist. The regulator would be changed. While our export trade was limited to those branches of manufacture, with respect to which England possesses some peculiar advantage, and while our home-trade consisted in the exchange of wrought goods for food and materials derived from soils yielding largely in proportion to the number of hands employed, wages would be advanced, because, in all the departments of industry, the efficacy of labour would be increased.

A particular example, taken from existing facts, may present a more distinct view of the subject than these general statements. Saxony has acquired superiority over England in some branches of hosiery. While the operatives in these branches of the trade work for foreign markets, their money-wages must be as much below the Saxon level as the efficacy of Saxon industry is above the English level. No amount of protection extended to the manufacturers of Nottingham and Leicester could alter this result ; because, while the supply of British hosiery goods continues in excess of the home demand, their price in the home market must conform to the price obtainable in the foreign market ; and because the price which the master can obtain must determine the amount of the money-wages which he can afford to pay. But extend the field of employment, increase the number and wealth of domestic consumers, until the operatives of

Nottingham and Leicester are no longer compelled to work for foreign markets, and then a measure of protection sufficient to secure to them the supply of the home market, may allow of an advance of price, and an elevation of wages.

III.—The acquisition of a wide extent of fertile territory, yielding corn and cotton, tallow and timber, would prevent the import duties imposed on British goods by foreign states from falling on the wages of the English operative. As we raised supplies of corn, and cotton, and hemp, and tallow, from our extended domain, an important alteration would be effected in the terms of our exchanges with the countries which have hitherto furnished us with these elements of reproduction. As our demand for the produce of Russia diminished, the value of that produce would fall in the British market; and as our available capital and labour found ample employment in the home colonization of multiplied England, and in supplying the colonists with manufactured goods, the supply of British fabrics in the Russian markets would be diminished, and their value increased. Similar results would be produced in the still more important markets of the United States. As the demand for American cotton decreased in the British market, its value would decline; and as it ceased to be necessary to press British fabrics on the markets of America, their value in these markets would advance. The field of employment for labour and capital would be so ample in England, that the English manufacturer would no longer find it necessary to export his goods to foreign countries, except at prices sufficiently high to cover the amount of the import duties which foreign countries might impose. Such duties would, therefore, fall, not, as heretofore, upon the British producer, but upon the foreign consumer. The effect of hostile tariffs, as far as regards the depression of wages in this country, would be completely neutralized.

IV.—The manner in which an extension of territory would

affect the landed interest remains to be traced. We have seen that a large importation of foreign corn in average years would, in the first instance, throw poor soils out of cultivation, bring privation and destitution on the rural population, and lower rents. Resorting to new lands of the first quality in the Isle of Wight would have similar effects, as far as regards the throwing out of inferior soils, but not as respects wages, profits, and rents. A large importation of foreign corn in average years, would throw a large proportion of the rural population on the parishes for support ; the spread of tillage over multiplied England would open ample employment to all the labour that might be displaced by the relinquishing of the inferior soils of original England—there would not be an able bodied pauper in the kingdom.

To the farmer, the difference between importing provisions from foreign countries, and growing them upon our own extended territory, would be immense. In the former case, a considerable portion of his capital would be lost ; in the latter, the value of his stock, and other moveable property would be enhanced, as the occupation, stocking, and cultivation of the new country created a growing demand for horses, cattle, sheep, seed-corn, and agricultural implements.

An extension of territory would be far less injurious to landed proprietors than an unrestricted importation of foreign agricultural produce. In both cases there would be, in the first instance, a throwing up of inferior farms, and a fall of rents. But these effects would be much greater in the latter case than in the former. Import, in average years, large supplies of foreign corn, and a large portion of the agricultural population must be supported by their parishes ; spread cultivation over extended England, and none will require relief, save the impotent poor. The difference between the charges upon the land in the two



cases would be enormous ; and this difference—the difference between a poor-rate raised to its highest maximum, and a poor-rate reduced to its lowest minimum—measures the difference in the degrees in which rents would be lowered by the free admission of foreign corn, and by the occupation of additional British territory.

There is another consideration well worthy of the attention of landed proprietors. An immediate fall of rents, occasioned by spreading cultivation over extended England, would be speedily followed by a re-action, raising the rental of original England to its former, or even more than its former, amount. The new demand springing up in the newly-occupied districts, and the universal advance of wages, accompanied by a reduction in the price of food, would give to the whole population a largely increased power of consuming articles, not strictly necessities of life. Throughout the original districts of the kingdom, the wealth of the towns, and of the non-agricultural population, would be increased ; and, as a necessary consequence, there would arise a new and increasing demand for those products of the soil, which, from their bulk or perishable nature, cannot be brought from a distance, but must be produced in the vicinity of the places where they are consumed. Land in the neighbourhood of all our thriving towns would acquire a higher value. There would be an increased demand for building ground, garden ground, and ornamental domains ; and thus, through the influence of the universal prosperity, the rental of original England would not only rise to its former amount, but become even higher than before.

An extension of territory would remove the main difficulty opposed to the adoption of agricultural improvement, namely, that of providing for the rural population which would be thrown out of employment by a more economical management of land, and by the use of mechanical power in executing the work of the

farm. Under existing circumstances, the difficulty is now formidable in England ; and, in Ireland, insuperable. The late government left the economical condition of Ireland worse than they found it. They appointed a commission, comprising men of the highest attainments, both as regards economical science and practical knowledge, to inquire into the causes of the poverty of Ireland ; and, with unaccountable inconsistency, they framed the Irish poor law in direct opposition to the recommendations of that commission. The Irish poor law has been, as all competent authorities predicted it would be, abortive. No human power can raise the condition of the Irish people until their agricultural labour shall be rendered more effective. But agricultural labour in Ireland cannot be made more effective until farms are consolidated ; and farms cannot be consolidated, or predial war suppressed, until the recommendation of Dr. Whateley and his associates for providing for the displaced tenantry, shall be carried into practical effect.

V.—The effect of an extension of territory upon the finances of the country would be important. We have seen that such extension would counteract the causes which are depressing the value of the produce of British labour, in relation to the produce of foreign labour, including the precious metals. Now raising the value of the produce of British labour, in relation to the produce of foreign labour, including the metals, is the same thing as lowering the value of money in relation to British labour, and its products. Again, lowering the value of money increases the amount of *ad valorem* duties, and diminishes the pressure of fixed duties, augments the revenue, and, at the same time, lightens the public burthens.

But our extension of territory would give financial results of still greater importance. Our illustrative supposition is, that, by the miraculous extension of the Isle of Wight, the crown has acquired an additional area com.

prising 180,000 square miles of fertile land, capable of yielding all the principal elements of reproduction; and that the Commissioners of Woods and Forests offer these crown lands to public competition at the uniform upset price of 10*l.* per acre. Under this supposition, the accumulating capital and increasing population of the United Kingdom would pour into the Isle of Wight in a stream more rapid than that which throws the multiplying masses of the American Union upon the western forests. There would be an intense and constantly increasing demand for additional territory at the upset price of 10*l.* per acre, until the entire area of 180,000 square miles, or 115,200,000 acres should have been alienated, and until the net receipts of the Commissioners of Woods and Forests, on account of the sale of the crown land, should have amounted to the sum of 1,152,000,000*l.*

The whole of this enormous sum would be applicable to the public service; and it is probable that part of that service would be to accelerate the home-colonization of the Isle of Wight. Let us assume, that, with a view to the immediate furtherance of this important object, Parliament authorises the issue of land bonds to the amount of 20,000,000*l.*, redeemable out of the proceeds of the land sales, and bearing interest up to the date of their redemption; and that the land-loan, thus obtained, and thus secured, is employed in effecting an ordnance survey of the new territory,—in dividing it into counties—in selecting the sites of the future county-towns—in erecting churches—and in opening roads through the districts most eligible for immediate occupation.

It cannot be doubted that the immediate expenditure by Government of 20,000,000*l.* in the works of public improvement just described, would create an intense demand for labour; and during the progress of the works, leave “no complaining in our streets.”

An important improvement in the home-trade would spring up instantaneously. The sums paid by Government in salaries and wages would be expended in the purchase of articles of consumption. Provisions, clothing, furniture, and tools, and implements, would be poured in from all parts of the kingdom into the districts in which the public works were carried on.

Neither can it be doubted that the subscribers to a land-loan of 20,000,000*l.*, placed as a first mortgage upon 115,200,000 millions of fertile acres, would possess a security more solid and perfect than that on which the public debt of England at present rests. The very expenditure of such a loan would increase its security and accelerate its repayment. The sums borrowed in anticipation of the land sales, and employed in laying out fertile estates for occupation, and in opening easy access to them, would be practically thrown back into the soil in the form of fixed capital of the most valuable description; and, in this form, would afford the most important facilities for reproduction, present increased inducements to individual enterprise, and accelerate the flow of our redundant labour and capital over the fertile regions at the disposal of the crown. The loan of 20,000,000*l.*, the expenditure of which imparted the impulse giving this increased velocity to the home-colonization of our miraculous island, would be speedily paid off; and, on the completion of the land sales by the alienation of the whole of the public domains, the Commissioners of Woods and Forests would have received, over and above the redemption of the land-bonds, a balance of 1,132,000,000*l.*, a sum sufficient to pay off the national debt, and to relieve the country from every species of taxation for a period of nearly twenty years.

The views which have now been presented are strictly necessary conclusions from the premises assumed. Grant us our hypothesis—grant us the extension of territory sup-

posed—and the economical condition of England will be changed, and new circumstances created neutralizing all the causes which are now depressing British wages, and which, if permitted to operate unchecked, must conduct to a catastrophe too fearful to be dwelt on. The experience of two hundred years authorises the anticipations we have formed. The progress of the United States of North America is a reality. There the mission of the Anglo-Saxon race to multiply and to replenish the earth has not been a closet speculation or an enthusiast's dream. It is a thing accomplished—a fact palpable to our senses—impossible to disbelieve—and leading to the irresistible inference, that were there added to England a fertile district comprising twice the present area of the United Kingdom, distress would vanish from the land, and a season of rapid progress and universal prosperity arise.

*On the Means of creating the circumstances under which the Causes of Distress would disappear.*

It may be asked what practical benefit can be obtained by drawing elaborate conclusions from an hypothesis which bears no analogy to the existing state of things, and which nothing short of a miraculous interposition of Providence could realise? I answer, that the hypothesis from which the preceding conclusions have been drawn, bears the strictest analogy to actual circumstances. Accurately considered, it is not an hypothesis, but an existing fact. England possesses in her colonies an extent of unoccupied territory equal, not merely to twice the area of the British Islands, but to that area ten times told. In the Canadas, on the Eastern coast of Africa, in Australia, and in New Zealand—that future England of the Southern cross—the crown possesses billions of fertile acres, capable of yielding all the

elements of reproduction, and of opening to our accumulating capital and multiplying people fields of employment of unlimited extent. The great practical question—in the present economical condition of this country, the question of questions—which it behoves an enlightened and patriotic statesman to consider is, are there in existence any practicable means by which the unoccupied lands of the colonies can be made as available to British enterprise, as would be an extension of territory in the Isle of Wight? The solution of this all-important question I will now endeavour to supply.

The first thing to be done with reference to this question, is to obtain a distinct perception of the nature and magnitude of the difficulty which it is necessary to overcome. If we had in the Isle of Wight an extent of unoccupied territory, equal to twice the area of the British Islands, the redundant labour and capital of the United Kingdom would flow into the new country as certainly as waters find their level. We have, in North America, an extent of unoccupied territory equal to twice the area of the British Islands; and yet the redundant labour and capital of the United Kingdom does not flow into the new country. What is the cause of this striking difference? What interposing obstacles prevent, as regards our American colonies, the establishment of that equilibrium between labour, capital, and land, which would be established almost instantaneously were these colonies brought to the Isle of Wight?

The obstacles which prevent the redundant capital and unemployed labour of the United Kingdom from flowing as freely to the unoccupied lands of the colonies as they would flow into these lands were they brought to the British shores, may be enumerated as follows:—

*First*, The greater expense and inconvenience of conveying a family to the greater distance.

*Second*, The delay, vexation, and loss so frequently

experienced in selecting and obtaining possession of land in a remote and imperfectly explored country.

*Third*, The difficulty of obtaining in a new country that requisite supply of labour which allows of combined exertion and the division of employment.

*Fourth*, The want of these results of previous labour, such as wharfs, roads, and bridges, which facilitate and abridge immediate labour.

*Fifth*, The want of markets for the raw produce, which in new countries constitutes the only staple for exchange.

These are the mounds by which the labour and capital are pent up within the narrow area of the United Kingdom—the difficulties which prevent the colonies from becoming, as regards practical purposes, parts of England. The mounds may all be levelled—the difficulties all removed. Ample means for bringing the colonies into economical contact with England are provided to our hands, and only require to be skilfully, systematically, and energetically applied. Let us trace *seriatim* the measures by which the obstacles to this consummation may be surmounted.

1.—England, possessing in the royal arsenals a dismantled navy, capable of crushing the combined fleets of the world, could experience no practical difficulty in bridging the ocean, and in rendering the passage from the mother country to the colonies as secure as a passage from the ports of Great Britain and Ireland to the Isle of Wight. Let us examine in detail how this might be effected. Let us assume that a sufficient number of ships of war are fitted up for the conveyance of families desirous of settling in the colonies—that emigrants of the labouring class are given a free passage, with rations, and the usual proportion of tonnage—that purchasers of land, to a given amount, are allowed a cabin passage, with tonnage, regulated by the amount of their purchases, free of all charge, save their sub-

scription to the mess which they may be disposed to join ; and that the command of the emigrant ships, and the arrangements, for the health and comfort of the passengers while on board, are confided to the officers of Her Majesty's fleet. Can it be doubted that a government emigration thus conducted, would be divested of the inconveniences, the hazard, and the cost, which a voyage to the colonies now involves, and which have hitherto checked the flow of labour and capital to the distant possessions of the crown ?

2.—In all the experiments in colonization which have hitherto been made, the settlers have suffered serious inconvenience, and not unfrequently ruinous losses, in consequence of being obliged to live upon their capital while waiting to be put in possession of their land. The means of removing this hindrance to the transference of our redundant capital to the colonies, are in the hands of government. The economy with which the surveys of wild land are executed in the United States, and the able report on the mode of conducting running surveys, presented by Captain Dawson to the Colonial Office, demonstrate the facility with which the unappropriated lands of the colonies may be laid out for immediate occupation. The preliminary appointment of an efficient surveying staff in each of the colonies to which it might be proposed to direct the tide of emigration, would at once remove one of the principal difficulties in the way of extended colonization.

3.—The early possession of his land would do little for the capitalist, unless he could command a sufficient supply of labour for its cultivation. • This supply, a government emigration, conducted in emigrant ships, under the command of naval officers, could not fail to furnish ; inasmuch as it would give to the labouring classes, when unemployed, or inadequately paid, a feeling of security and confidence in seeking to better their condition by a removal to the British



settlements, in which labour was in demand and wages high.

4.—The main obstruction to the progress of industry in a new country, is the want of those results of previous labour, by which immediate labour is facilitated and abridged. This is an obstruction which no influx of capital can remove. The absence of the results of previous labour constitutes all the difference between a new and an old country, between the wilderness of the savage, and the abode of civilized man. Individual settlers will not expend their capital upon public works. But it is in the power of government to send out to every colony which is intended to be peopled, from the mother country, a corps of artificers for the purpose of constructing landing places, wharfs, roads, bridges, churches, schools, and public offices upon the crown lands. This would give to these lands an increase of value greater than the cost incurred, facilitate and abridge the labour of the settlers, and accelerate the influx of capital into the colonies by removing the main impediment to their successful cultivation.

5.—The safe and unexpensive conveyance of settlers, the certainty of obtaining immediate possession of locations, sufficient supplies of labour, and permanent improvements for facilitating and abridging it, could not fail to give rapid prosperity to the colonies, provided advantageous markets for their surplus produce could be opened to them. The markets of England are the most advantageous in the world for new countries exporting raw produce. The legislature has only to enact that, as regards commercial transactions, the colonies shall be considered as parts of England, and that the colonial trade shall be placed on the same footing as the home trade.

It will not be denied that were arrangements analogous to those which I have thus briefly and imperfectly sketched,

adopted upon an extensive scale throughout the British colonies, the main obstacles which prevent the redundant capital and labour of the United Kingdom from flowing as freely to the unoccupied lands at the disposal of the crown, as they would flow to those lands were they brought in contact with the British shore, would be removed. Neither does it admit of question, that were the capital and the labour now outgrowing the field of employment, planted in the colonies, and engaged in supplying us with the elements of reproduction in exchange for our finished goods, the causes of distress would be removed, and the operatives of England restored to an independent and continuous prosperity, with which foreign rivalry and hostile tariffs could no longer interfere. The only practical question which remains, is one of finance. Can Government command the means of defraying the expense, which it would be necessary to incur, in conducting colonization on a scale sufficiently extensive to realize these important results? If this question can be answered in the affirmative, a boundless prospect of prosperity may be opened to us; if it must be answered in the negative, the sun of England's glory will have set.

*On the means of defraying the cost of a Scheme of Colonization upon a scale sufficiently extensive to create the circumstances under which the Causes of Distress would disappear.*

No one would hesitate to admit that were there in the Isle of Wight, an extent of fertile and unappropriated territory, equal to twice the present area of the British Islands, and were the territory offered to public competition at an upset price of 10*l.* per acre, the sale of the crown lands would proceed with rapidity, and would ultimately yield to the treasury a sum of not less than £152,000,000*l.* No one could entertain a doubt that a loan of 20,000,000*l.*, charged

as a prior claim upon such land sales might be raised with perfect facility, and would be repaid with absolute certainty. The crown possesses in the colonies an extent of fertile and unappropriated territory equal, not to twice the area of the United Kingdom, but to ten times that area. The analogy is perfect between what might take place with respect to unappropriated land in extended England, and what may take place with respect to unappropriated land in the more distant dominions of the crown. If a loan of many millions could be raised with facility, and repaid with certainty, in the one case, it might be raised with equal facility, and repaid with equal certainty, in the other. The expense of conducting a scheme of systematic colonization, upon a scale sufficiently extensive to remove the causes of distress, may be provided for by means of the value conferred upon the countries colonized.

The most important improvement which has been effected in the art of colonization, consists in the principle of anticipating, in the manner propounded in Lord Durham's masterly report upon the disposal of the public lands in Canada. the proceeds of future land sales by loans to be expended in the conveyance of labour, and in the permanent improvements which render labour more effective. Without the application of this important principle, colonization cannot be conducted on a scale sufficiently extensive to be of immediate national advantage. The principle, nevertheless, is still so imperfectly understood in many quarters, that some farther elucidation of its nature and effects appears to be required.

A land loan is not unfrequently confounded with an ordinary revenue loan. They are essentially different. They have little in common save the name. They are derived from entirely different sources, and they produce diametrically opposite effects. A revenue loan is an anticipation of the proceeds of taxes to be levied on the people ;

a land loan is an anticipation of the proceeds to be obtained by the sale of public property. The difference may be thus illustrated. A body of country gentlemen, in their magisterial capacity, impose a county rate, and upon the security of this rate obtain an advance, to meet some immediate public expenditure. These same gentlemen, in their capacity as landed proprietors, sell portions of their estates for sums to be paid by deferred instalments; and obtain from their solicitor advances, in anticipation of the purchase-money. In both cases the advances might be termed loans; but it would be a singular misconception to regard them as similar in origin and nature, because similar in name.

Again, loans raised in anticipation of the ordinary revenues of a colony, and expended in maintaining the local government, remain as a burthen upon the industry of the colonists, and, in proportion to their amount, retard prosperity; while loans raised in anticipation of the sale of the public land of a new country, and expended in the conveyance of labour, and in the execution of works rendering labour more effective, afford increased facilities to industry, and, in proportion to their amount, increase the resources of a colony, and accelerate its prosperity.

It has been urged, that though loans raised in anticipation of the proceeds of future land sales, and expended in supplying labour, and in effecting local improvements, might be beneficial to a colony, yet the amount of such sales might prove insufficient to repay the loans, and to prevent their ultimately falling as a charge upon the imperial treasury. The objection here involved is at variance with fact. Uniform experience assures us that wild land acquires a marketable value, as capital and labour are applied to it. Nor is this all. The presence of an industrious community confers value, not only on the lands which they occupy, but also upon the belt of wilderness upon which their locations abut. Planted in a new country, an industrious population

double their numbers, by natural increase, in less than twenty-four years. Increasing population creates a demand for additional land. When the additional land, which the natural increase of population renders it necessary to occupy is of different degrees of eligibility, with regard to fertility and situation, a superior marketable value, equivalent to the difference, would be conferred on the most eligible lands; and when there is any limitation, either natural or artificial, to the supply of additional land, then value will be given to the least eligible part for which increasing numbers may create demand. This is exemplified on a most extensive scale in the states of the American union. There the extent of land of the first quality may be regarded as practically unlimited; but though there is no natural limit to the supply, yet the legislature creates an artificial limit, by fixing a price upon the land. In consequence of this limitation of the supply, the natural domains acquire a marketable value, and the sale of public lands becomes one of the most important sources of revenue to the states.

These facts answer the objection, that the cessation of the land sales might cause an emigration loan, raised in anticipation of their proceeds, to fall as a charge upon the imperial treasury. If, in a new country, a continuous increase of population from natural causes creates a continuous demand for additional land, a similar increase of population from emigration cannot fail to produce a similar result. When a land loan is employed as an emigration fund in increasing the population of a colony, it perpetuates the land sales in anticipation of which it is borrowed. For when the emigration fund, thus obtained, increases the population, a demand for additional land is created, and an additional emigration fund realized; and this additional emigration fund, employed in again increasing the population and the demand for land, is again itself renewed. There can be no limit to the process—no

cessation of the land sales while tracts of eligible territory remain unappropriated. Before this limit is reached, and the population of a colony approaches towards fullness, emigration should be discontinued, and the proceeds of the ultimate land sales applied to the liquidation of the colonial debt. This is all that is necessary, in order to give to the imperial treasury a perfect guarantee.

It has been imagined that the irregularity with which the land sales have recently provided in the colony of New South Wales, affords a practical proof of the ineligibility of raising an emigration loan on the security of the unappropriated lands of a new country. This objection can only proceed from an imperfect acquaintance with the principle to which it relates. The simplest way of demonstrating its invalidity will perhaps be to take an extreme case of irregularity in the amount of land sales, and to show practically, the manner in which such irregularity would affect the security of a loan, raised in anticipation of their proceeds.

Let us assume that parliament, after ascertaining that there is in the colony of New South Wales, such an extent of eligible unappropriated territory, that a belt of exterior land, sufficient to realize, at the price fixed by Government for public land, the sum of 3,000,000*l.*, may be ultimately resorted to as a redemption fund, authorises the Commissioners of Woods and Forests to issue from time to time Australian land bonds to the amount of 1,000,000*l.*; that these bonds bear an interest of 4 per cent., guaranteed by the imperial treasury; and that they have been issued to the full amount of 1,000,000*l.*, for the purpose of conveying emigrants to New South Wales. This being the previous state of things, let us suppose, further, that the land sales in the colony proceed with extreme irregularity from year to year; that in the first year, after the expenditure of the loan of 1,000,000*l.* on emigration, they produce 200,000*l.*;

in the second year 100,000*l.*; and in the third, nothing; that in the fourth year, the progress of population creates a renewed demand for additional land; and that the sales proceed by irregular jumps, until the whole of the territory reserved as a redemption fund has been disposed of.

Now it can be shown, by a reference to figures, and with mathematical certainty, that even in this extreme case, the irregularity in the amounts of the land sales, could in no way endanger the repayment of the loan, by which they were anticipated. In the first year, when the land sales yielded 200,000*l.*, there would be over and above the interest of the loan, 160,000*l.* applicable to the repayment of the principal; in the second year, there would be 40,000*l.* applicable to interest, and 60,000*l.* to principal; and in the third year there would be nothing either for interest or principal; and, as 780,000*l.* of the principal would remain unpaid, the interest upon that sum, at 4 per cent., would have to be provided for. But of the exterior lands, capable of yielding, at the government price, 3,000,000*l.*, only one-tenth part, yielding 300,000*l.*, has, by the supposition, been disposed of; and consequently, exterior lands, capable of yielding 2,700,000*l.*, remain as a redemption fund for paying the principal and interest of 780,000*l.* The Commissioners of Woods and Forests would now, in obedience to the provisions of the act which authorised the loan, issue, under the guarantee of parliament, additional colonial land bonds, to the amount of 39,000*l.*, to meet the interest on the outstanding debt of 780,000*l.* But after this additional issue of land bonds, there would still be a reserve of land, capable of yielding 2,101,000*l.*, to meet the interest of a debt of 819,000*l.*; and as the ordinary and natural rate at which population increases in new countries in which eligible territory remains to be appropriated, would necessarily create a renewed demand for additional land, it would be utterly unimportant, as regards the security and the

liquidation of the debt, whether the amount of the land sales reserved as a redemption fund should be regular or irregular, from year to year. The important practical consequences involved in the principle of colonial land loans, and the erroneous opinions regarding that principle, which are still occasionally promulgated, has induced me to enter into these otherwise perhaps, unnecessary details.

It has been urged, that the expense of colonization cannot be defrayed out of the value it creates ; inasmuch as the revenue which is obtained from the sale of waste land, and which may be employed in emigration, and in the public improvements which give greater efficacy to labour, is really derived, not from the wastes of the new country to be colonized, but from the capital previously accumulated in the parent state. Though this objection is entitled to respectful consideration on account of the quarter from which it proceeds, yet it will be found, upon strict examination, to turn upon a verbal fallacy. There can be no doubt that the sums obtained by the sale of wild land in a new country are really derived, not from the wilderness which is sold, but from the previously accumulated capital of those by whom the wilderness is bought. But then the real, the only question bearing practically on the subject is, does the capital which is advanced for the purchase of wild land, and which is expended in peopling, and in improving it, impart to the waste a value equivalent to the cost ? If this question can be answered in the affirmative, then colonization may be conducted on a principle of self-support, just in the same sense in which agriculture may be conducted on a principle of self-support. When a farmer expends a capital of 5,000*l.* and obtains crops possessing a marketable value more than equivalent to 5,000*l.*, agriculture is self-supporting; and when a colonist pays to government for a colonial estate a capital of 5,000*l.*, which the government expends in supplying the labour, and in effecting the improvements which give to the



estate a marketable value more than equivalent to 5,000*l.*, colonization is self-supporting. The two cases are exactly parallel. In each, a previously existing value has been expended, and in each a new value, equivalent thereto, has been created. As regards the farm, the land has been ploughed and manured, the fences and roads and buildings have been kept in repair, and the farmer and his family and labourers have been subsisted ; and yet the farmer, instead of having his capital diminished by this expenditure, will have it returned to him with the ordinary rate of agricultural profit. As respects the colony, the land will have been surveyed, roads opened, and labour sent out, and yet the settler, who has advanced as the purchase-money of his land, the necessary funds for this expenditure, instead of having his capital diminished, will have his advance returned to him with increase, through the value imparted to his land by the process of colonization. The reproducing process, though it may be disturbed and suspended by accident and mismanagement, yet has its origin in permanent principles and essential natural laws, which cannot be reversed. Wild land acquires value as capital and labour approach. As population increases, additional land is required ; and if the supply be limited in relation to the demand, the belt of additional land required for occupation will acquire marketable value. The price fixed upon wild land limits the supply, and the employment of the price in increasing the population heightens the demand. By the law of demand and supply, the last belt of land required for the maintenance of the increasing population, will bear a marketable value equivalent to the price required by government for the alienation of public lands. In a new country, in which the crown lands are disposed of by sale only, and at a fixed uniform price, and in which the proceeds of the land sales are employed in increasing the population, the value of the locations purchased by the settlers cannot be less than the purchase-money which is paid for

them. As (setting aside the temporary results of excessive speculation) it is impossible that in the ordinary branches of industry, commodities should sell for less than their cost, so it is impossible in systematic colonization, that the marketable value of the appropriated land should be less than the fixed price at which the increasing population can obtain additional land.

Again :—Under a well considered plan of systematic colonization, the settler would not only have the value of his first advance immediately reproduced to him in the value conferred upon his land by the expenditure of his purchase-money in supplying labour and in executing works increasing its efficacy, but would find himself in possession of a surplus value over and above the replacement of his original advance. His land would have become worth more than he paid for it. Systematic colonization not only replaces, but creates. The locations occupied by inflowing settlers will be of different degrees of natural fertility. The least fertile tract for which the increasing population creates a demand, will acquire a marketable value equivalent to the fixed price, without the payment of which the demand cannot be supplied. But if the least fertile location which it becomes necessary to occupy must be worth the government price, all the superior locations must be worth more than the government price. The purchasers of these will get more than they paid for,—will possess a gradually increasing value costing them nothing.

And again :—the surplus value created by systematic colonization is not confined to tracts of superior fertility, but gradually extends to the most inferior soils to which, at any given period of progress, it may be necessary to resort. In the first instance, the lowest quality of soil which it may be expedient to select in the belt of land nearest to the central market will be worth the government price, without the payment of which it could not be obtained. In the second instance, however, the last quality of soil selected in the

nearest belt of land would be worth more than the government price. When increasing population renders it necessary to occupy in a belt of land one degree removed from the centre of civilization, a soil of the same quality as that which had been last selected in the nearest belt, then the value of locations which had been last selected in the nearest belt will exceed that of the government price, by an amount proportionate to the advantage, as regards the cost of carriage, which the settler in the first, would possess over the settler in the second belt of land.

The following illustration may serve to give a more distinct perception of the manner in which, when the proceeds obtained by the sale of wild land in a new country are employed as an emigration fund, the successive occupation of additional territory creates upon the previous locations a surplus value over and above the amount of their purchase-money.

Let us suppose that there are round the central market of a new country, successive belts or districts of land numbered from one to five; and that there are in each belt, lands of different degrees of fertility, also numbered from one to five. Let the produce yielded to a given outlay by the different qualities of land, be equivalent in land No. 1 to 100 quarters of corn; in land No. 2 to 80 quarters; and in land No. 3 to 60 quarters; and let the annual cost, estimated in corn, of communication between the several districts and the central market, be for district I., zero; for district II., five quarters; and for district III., ten quarters.

In this hypothetical case, when the increase of population, under the action of the emigration fund, created a demand at the government price for land 3 in district III., then the value of the previously occupied lands would exceed the fixed government price by the following differences, *viz.*:—Lands 2 and 1 in district III., by the difference respectively between 70 and 50, and 90 and 50. Lands 3, 2,

and 1 in district II., by the difference respectively of 55 and 50; of 75 and 50; and of 95 and 50; while in lands 3, 2, and 1, in district I., the respective proportions in which the value of the location would exceed the fixed government price, would be as 60 to 50; as 80 to 50; and as 100 to 50. The value of rural lands of quality 1 in district I., would exceed the government price by cent. per cent. And should land 4, yielding 40 quarters, be resorted to in district IV., then the value of land 1 in district I. would exceed the government purchase-money by the difference between 100 and 30. The value which suburban lands and town lands would acquire during the process, it would be difficult to estimate.

The rapid creation of value which takes place upon the early settled lands of a new country, not unfrequently leads to excessive speculation; and in this, as in every analogous case, excessive speculation and overtrading lead to temporary depression and individual loss. These are passing clouds—blasts in spring time, checking vegetation, but not marring the harvest. Revival is insured through the working of immutable laws. While fertile, yields a larger produce than inferior land, and while the cost of communication is increased by distance, systematic colonization will continue to confer upon all the more eligible locations in a new country, a surplus marketable value over and above the amount of the price which may be sufficient to furnish an adequate supply of labour, and to execute the preliminary works which augment its efficacy.

A further observation appears necessary, in reference to the objection, that systematic colonization cannot be reproductive and self supporting, and must be conducted at the expense of the capital of the mother country. Our powers of production have outgrown the field of employment. Millions of capital are locked up, waiting for advantageous investment; other millions flow off into worthless foreign

securities, and are lost ; while one portion of our able-bodied population work at short time, and while another portion, unable to get work at all, are supported out of rates levied on the industry of others. Systematic colonization removes the plethora, and imparts to the system renewed vitality. While it reproduces its own expenditure, with a large increase, it retains the accumulating wealth, which would otherwise flow off ; it invests in secure production, the capital which would otherwise be lost ; it gives full and regular work to the partially employed ; and it enables those whose subsistence was subtracted from the earnings of others, to create for themselves independent support. While self-supporting, in the same sense in which agriculture is self-supporting, systematic colonization, by giving full employment to capital and labour, by raising profits and wages, and by relieving industry from the charge of supporting able-bodied destitution, augments the disposable wealth applicable to the purchase of colonial wastes, and thus perennially creates the means of its own accelerating progress. While unappropriated wastes remain at the disposal of the crown, no limits to this progress can be assigned. If the advance which is employed in planting a thousand souls in a new country can be replaced by means of the value thereby conferred upon the wastes, it can be re-employed in planting another thousand. If the reproductive principle be applicable to the planting of 1,000, it will be found equally applicable to the planting of 100,000—to the planting of 1,000,000. If self-supporting colonization can be carried on in one colony, it may be carried on throughout every foreign dependency of the crown containing unappropriated wastes, and possessing a climate to which European labour may be safely conveyed. The means of bridging the ocean, of giving virtual extension to England, and of thus creating the circumstances under which the causes of distress would disappear, are

placed in our hands. Our colonial wastes are mines of gold—millions of treasure slumber in our unappropriated lands.

The wonderful improvements in mechanical power, coincident with the war of the French Revolution, conferred upon England the miraculous resources which enabled her to maintain that momentous contest. The important improvements in the art of colonization, now coincident with a not less appalling danger, place in her hands the means of arresting national decline. In the former case, the remarkable coincidence—the opportune adaptation of the means to the end—has been attributed, as we have seen\*, to a special interposition of Providence for the deliverance of Europe. As the existing distress is a sequence flowing from the previous development of productive power, so the present coincidence is analogous to that which preceded it. Our means of safety have again been made commensurate to our danger. To unlimited powers of production an unlimited field of employment is presented. The signs of the times proclaim our destiny—repeat in legible characters the Divine command—“go forth and replenish the earth.” The dangers which surround us are indications from on high—pillars of cloud and fire, guiding to promised lands.

Thus, Sir, I have ventured to present the results of long and patient thought upon the condition of England, and on the means which we possess of removing the causes of distress. In endeavouring to perform what seemed no unimportant task, I have felt the alternation of despair and hope. While contemplating the long continued causes—the deeply-seated sources of the danger by which we are beset—a decade of erroneous commercial legislation, entailing upon the country the worst system of currency in Europe, and closing the markets of the Continent against Bri-

\* BLACKWOOD'S *Magazine* for October 1842.

tish commerce—a pertinacious adherence to the restrictive system until it had transformed our customers into our rivals—a death-bed conversion to the principles of free trade—a reckless and charlatan rush to bring these principles into immediate operation, without an attempt to obtain for England reciprocal advantages, and without the adoption of a single precaution to prevent the disruption, and to obviate the aggravated, though temporary destitution which, however theoretically sound and ultimately beneficial, extensive changes in the channels of industry invariably inflict—while contemplating this side of the picture, I have been almost led to despair of my country, and to doubt whether, in the approaching crisis, the institutions of England could be upheld. On reversing the picture, hope and confidence revived. Though the land is sore afflicted, yet the path to deliverance has been made straight before us. The temporary mitigation of distress—an influx wave on a receding tide—affords leisure for maturing the means of permanent relief. The renewal of friendly relations with the United States, through Lord Ashburton's auspicious treaty; the increased prosperity which that treaty cannot fail to bring to our North American provinces; Canada, our most important colony, in a temper inviting immigration to the St. Lawrence, the lakes, and the Pacific; South Africa, depopulated by heathen wars, as if to open space for the planting of a Christian nation, to protect, to civilize, and to convert innumerable tribes; steam navigation drawing our distant possessions near to our shores; and improvements in economical science and in the art of colonization opening fields of employment commensurate to the powers of production which the genius of a Watt called forth, establishing the equilibrium between labour, capital, and land, and thus bringing into juxta-position and effective co-operation our exuberant and widely-scattered elements of wealth, which,

though singly unproductive, become, in combination, creative of national opulence;—these concurring circumstances—these wonderful adaptations of means to an appointed end—these leadings of Providence—inspire the belief that England's prosperity is not yet to pass away. Our sky may be overcast; but the bow is in the heavens.

The genius of England expands under pressure. When Europe rose to crush her, a Nelson and a Wellington appeared. The crisis again requires the guidance of a master-spirit—a man made for the times—a “pilot to weather the storm.” The causes of distress will be removed, when the country shall be governed by a statesman solicitous to investigate her economical condition; lifting himself above the atmosphere of party; superior to the allurements of an ordinary ambition, and valuing the possession of power, not for personal position, but as gifting him with means to do good in his generation; to make the time to come his own; to plant other Englands throughout the wilds of the world; to give to the British empire an extension and a power hitherto unapproached and unimagined;

“ To scatter plenty round a smiling land,  
And read his history in a nation's eyes.”

In humble trust that I may yet be spared to see a British statesman gloriously achieving the results which I have feebly traced,

I have the honor to be,

SIR,

Your most obedient and

Most humble Servant,

R. TORRENS.

FINIS.





# APPENDIX.

*Lancefield Mills,*  
*Glasgow, 4th November, 1842.*

MY DEAR SIR,

I now send you the information which you wished, regarding the fluctuations in the wages paid to Hand and Power Loom Weavers and Spinners, from 1830 to the present date.

*Hand Weaving.*—In 1826 a 10<sup>00</sup>-reed 36-inch check was paid at the rate of 14/7 for 58 @ 60 yards. In the month of March in the same year, it was reduced to 10/5, at which rate it continued till the month of June 1830, when it was further reduced to 8/4. The fluctuations during the following years for the same work, are stated below.

1831.	32.	33.	34.	35.	36.	37.	38.	39.	40.	41.	42.
9/10 $\frac{3}{4}$	8/4	8/10	7/10	9/10 $\frac{3}{4}$	9/4 $\frac{1}{2}$	7/10	8/4	7/10	7/3 $\frac{1}{4}$	7/3 $\frac{1}{4}$	6/9

*Mule Spinning.*—In 1822, the Spinner was paid for Spinning 25 lbs. of No. 40 Twist, 3/10 $\frac{7}{8}$ ; in June 1826, the price was reduced to 3/7 $\frac{3}{4}$ , and in December of the same year, to 3/4 $\frac{5}{8}$ , at which price it continued till 1836, when an advance was obtained equal to the price paid in 1822, *viz.* 3/10 $\frac{7}{8}$ .

The fluctuations since are stated below :—

April,	May,		
1837.	1837.	1840.	1842.
3/4 $\frac{5}{8}$	3/3 $\frac{3}{10}$	2/9 $\frac{3}{10}$	2/6 $\frac{1}{2}$

*Power Weaving.*—No alteration was made in prices here, from 1830 until January 1840, when a reduction of 5 per cent. was submitted to, and in March 1842, a still farther one of 7 $\frac{1}{2}$  per cent., in all 12 $\frac{1}{2}$  per cent.

Hands employed in the carding room, and other preparatory processes of spinning and weaving, are paid now about 10 per cent. less than in 1830.

Dressers and Tenters have been reduced about 20 per cent.

In making out the above statements, I have adhered to the

prices paid for work upon the same kinds of machinery during each year, as in some instances where the machinery is new, and fitted with all the recent improvements for facilitating labour, a much greater reduction than the one stated has taken place. To give you some idea of this, I may mention, that in our self-acting mules, we only pay 1*s.* 2*d.* for what would have cost us 3*s.* 4*d.*  $\frac{5}{8}$  in 1830 ; and in some of our Power Looms, where the speed is great, and the workers manage three Looms in place of two (the usual number here), we pay 33 per cent. less than we would have done at the same period.

Although we pay less in the above instance per piece, the Weaver makes a better wage than she could have done in 1830.

Should you require any other information, I shall have much pleasure in getting it for you.

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*Glasgow, 29th October, 1842.*

I enclose statements showing the average wages paid to Spinners and their piccers. Carding house and general hands, at our Cotton Works at Cumberland Street and Barrowfield Mills, as also at our Power Weaving Work, South Cumberland Street. There was an advance on Spinning and Power Loom Weavers' wages, during the excitement of 1836 till April 1837, when in consequence of times becoming very bad, the wages were attempted to be reduced to the previous rates ; but before submitting thereto, a strike of work took place, and most of the works were stopped working, from April till August, a period of four months. A further diminution took place in June 1839, and in March 1842, chiefly on Spinners' wages however, arising from the extreme depression of the trade, and the increased substitution of self-acting mechanism, for that wrought by the Hand Spinner. The wages of carding and subsidiary hands, as also of power loom weaving hands, were not reduced at all in the same ratio, although there have been improvements in the Carding Room, tending to lessen the number of hands considerably since 1839. The miserable results of the business having led to the adoption of every possible saving, in fact such has been the fearful extension of machinery consequent upon

the excitement and unnatural demand (from excessive paper issues in 1835 and 1836), that a long time seems likely to elapse, before all this new machinery can be employed fully, so as to render the trade a profitable one. As respects *Hand-Loom Weavers*,<sup>\*</sup> their wages are at all times most variable, from the amazing variety of fabric produced in that way, *new and fanciful* work often yielding a return of 15/ and 20/ per week to the operative at first, and gradually being reduced to the more ordinary level of 8/ and 10/, out of which, rent, fire, and im-  
plements have to be deducted. In fact, it is most difficult to give a proper average of even common work. Hands in the country employing themselves often *partially* in the fields, earning apparently not half the wages in summer which they do, when *wholly* engaged within doors, in winter.

*Cumberland Street Mill,  
29th October, 1842.*

The following is a STATEMENT of the Average Weekly Wages of the different Workers who have been employed in \* \* \* Mill, between the Years 1830 and 1842, inclusive.

	Preparation Hands, including Picking Room Ditto, under Two Classes, of Grown up and Young Persons.			Mechanics and others not directly engaged in the Manufacture.					
During the Year.	Grown-up Hands Average Weekly Wage.			Young Hands Average Weekly Wage.			Average Weekly Wage.		
	£.	s.	d.	£.	s.	d.	£.	s.	d.
1830	0	7	6	0	4	3 $\frac{1}{2}$	1	0	4
1831	0	7	6	0	4	3 $\frac{1}{2}$	1	0	6
1832	0	7	6	0	4	3 $\frac{1}{2}$	1	0	6
1833	0	7	5	0	4	3 $\frac{1}{2}$	0	19	10
1834	0	7	6	0	4	3 $\frac{1}{2}$	0	19	10
1835	0	7	6	0	4	3 $\frac{1}{2}$	1	0	1
1836	0	7	6	0	4	3 $\frac{1}{2}$	1	0	1
1837	0	7	11 $\frac{3}{4}$	0	4	6 $\frac{3}{4}$	0	19	11
1838	0	8	1 $\frac{1}{2}$	0	4	6 $\frac{3}{4}$	0	19	11
1839	0	8	1	0	4	6 $\frac{3}{4}$	0	19	11
1840	0	8	1 $\frac{1}{2}$	0	4	6 $\frac{3}{4}$	0	19	5
1841	0	8	1 $\frac{1}{2}$	0	4	6 $\frac{3}{4}$	0	19	5
1842	0	8	1 $\frac{1}{2}$	0	4	3	0	19	8

## SPINNING DEPARTMENTS.

During the Year.	Spinners.			Piecers.			Throstle Hands.		
				15 to 20 Years of Age.	14 and 15 Years of Age.	13 Years of Age.	All above 13 Years of Age.		
	Average Weekly Wage.			Outside.	Inside.	Rove.	All Young Hands.		
	£.	s.	d.	s.	d.	s.	d.	s.	d.
1830	1	11	5	7	0	4	3	2	10 <sup>1</sup> / <sub>2</sub>
1831	1	8	4	7	0	4	3	2	10 <sup>1</sup> / <sub>2</sub>
1832	1	9	9	7	0	4	3	2	10 <sup>1</sup> / <sub>2</sub>
1833	1	12	1	7	0	4	3	2	10 <sup>1</sup> / <sub>2</sub>
1834	1	11	5	7	0	4	3	2	10 <sup>1</sup> / <sub>2</sub>
1835	1	12	7	7	0	4	3	2	10 <sup>1</sup> / <sub>2</sub>
1836	1	15	3	7	0	4	3	2	10 <sup>1</sup> / <sub>2</sub>
1837	1	12	3	7	0	4	3	2	6
1838	1	6	1	6	3	4	0	2	6
1839	1	3	4	6	3	4	0	2	6
1840	0	18	5	6	3	4	0	2	6
1841	0	16	9	6	3	4	0	2	6
1842	0	15	5 <sup>1</sup> / <sub>2</sub>	6	0	3	9	2	6

*South Cumberland Street,  
Weaving Factory Power Looms.*

Average Wages of Power Loom Weavers (wholly young Women of sixteen years and upwards) during the following years:—

	s.	d.	
1830 .....	8	5 <sup>1</sup> / <sub>2</sub>	per Week.
1831 .....	8	6	„
1832 .....	9	1	„
1833 .....	9	9	„
1834 .....	10	6	„
1835 .....	10	3	„
1836 .....	10	6 <sup>1</sup> / <sub>2</sub>	„
1837 .....	11	3	„
1838 .....	10	7	„
1839 .....	10	4	„
1840 .....	10	3	„
1841 .....	9	3 <sup>1</sup> / <sub>2</sub>	„
1842 .....	9	0	„

29th October, 1842.

*Barrowfield Mill, COTTON SPINNING.*  
*Workers' Net. Wages per Week.*

Description of Hands.	1830 to Oct. 1836.	Oct. 1836 to April 1837*.	Aug. 1837 to June 1839.	June 1839 to Mar. 1842.	Since Mar. 1842.
<i>Preparation Department.</i>					
Picking Room Workers,—	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>
Women of 18 and upwards	6 8	7 0	7 3	7 3	7 3
Card Room Workers—					
Of whom one-third are Girls					
of 13 to 18 years of age, @	3 7	4 2	4 2	4 2	4 2
And two-thirds are Women					
of 18 and upwards . . .	6 3	6 11	7 0	7 6	7 6
<i>Spinning Department.</i>					
Spinners, each working a pair					
of mules of 600 sps . . .	24 0	27 6	23 6	19 6	15 4
Outside Piecers—young men					
and women of 15 to 19 . .	6 6	7 6	6 6	6 0	5 4½
Inside Piecers—boys and girls					
of 14 to 16 . . . . .	4 0	4 6	4 0	3 9	3 4½
Rove Piecers—boys and girls					
of 13 to 14 . . . . .	2 6	3 0	2 6	2 6	2 3
<i>General Hands,</i>					
Including overlookers, mill-					
wrights, and all other men					
on fixed wages . . . . .	16 10	17 3	18 0	18 8	19 10

\* The spinners' strike lasted from April 8, to August 7, 1837.

DEAR SIR,

Glasgow, 29th October, 1842.

In compliance with your request, we have been at considerable pains to ascertain correctly the weekly wages earned by a weaver; but after all it is only an approximation, as it is almost impossible to ascertain the exact time taken in working a lot of webs. The above average you will observe is upon a 12<sup>00</sup> reed, as being about a medium of our description of work. Besides this, we took an average of a lower, and also of a higher reed; and upon averaging the whole, the result corresponded very nearly to the above calculations.

We are, dear Sir, .

Your's most respectfully,

*Prices of Hand-Loom Weaving, from 1830 to 1842.*

Years.	Reed.	Price per Ell.	Gross Wages per Week.		Expenses for Dressing, &c. per Week.	Net Wages per Week.	
		<i>d.</i>	<i>s.</i>	<i>d.</i>	<i>d.</i>	<i>s.</i>	<i>d.</i>
1830	12 <sup>00</sup>	21 <sup>4</sup>	6	1	9	5	4
1831	...	21 <sup>4</sup>	6	1	"	5	4
1832	...	21 <sup>8</sup>	5	9	"	5	0
1833	...	2	5	5	"	4	8
1834	...	21 <sup>6</sup>	6	9	"	6	0
1835	...	21 <sup>2</sup>	6	9	"	6	0
1836	...	22 <sup>4</sup>	7	5	"	6	8
1837	...	2	5	5	"	4	8
1838	...	21 <sup>2</sup>	5	9	"	5	0
1839	...	21 <sup>2</sup>	5	9	"	5	0
1840	...	21 <sup>8</sup>	5	9	"	5	0
1841	...	2	5	5	"	4	8
1842	...	1 <sup>3</sup> <sub>4</sub>	4	8	"	3	11

STATEMENT of the Average Weekly Wages of Throstle Spinners, Self-acting Mule Spinners and Piccers, and Power-Loom Weavers, at \* \* Works, in each of the years from 1830 to October 1842 inclusive; with the Average Weekly Wages of Hand-Loom Weavers in each of the years from 1836; as ascertained from the Agent by whom they are employed in the Village of \* \* .

Years.	Throstle Spinners.		Self-acting Spinners.		Self-acting Mule- Piccers.		Power- Loom Weavers.	Hand-Loom Weavers not connected with the Works.	
	<i>s.</i>	<i>d.</i>	<i>s.</i>	<i>d.</i>	<i>s.</i>	<i>d.</i>	<i>s.</i>	<i>d.</i>	
1830	6	7	8	6	4	10	7	4	
1831	6	7	8	10	5	0	7	7	
1832	6	9	9	3	5	2	7	4	
1833	6	8	9	11	5	5	7	5	
1834	6	7	9	5	5	3	6	10	
1835	6	8	9	6	5	4	7	0	
1836	6	10	9	6	5	4	7	0	6 0 7 0 5 6 6 9 5 6 5 9 5 3 Out of this Loom, Rent has to be paid, and Light in winter.
1837	6	11	9	8	5	5	7	9	
1838	6	5	9	2	5	1	7	5	
1839	6	1	8	9	4	11	7	4	
1840	5	11	8	8	4	10	7	7	
1841	5	11	8	10	5	0	7	7	
1842	2	11	5	10	3	4	5	1	

From 1830 to 1841 inclusive, the time wrought by the works was sixty-nine hours per week, but, in 1842, they have only been working two-thirds time, or forty-six hours per week.

The spinners and power-loom weavers employed at the works, are all females.

*Power-Loom Weaving Factory,  
Hutchesontown.*

RETURN of the Amount of Wages earned per week by Dressers,  
Tenters, and Weavers, from October 1831, till October  
1842.

Date, 1st Oct. till 1st Oct.	Dressers.			Tenters.			Weavers.		
	£.	s.	d.	£.	s.	d.	£.	s.	d.
1831 to 32	1	0	2 <sup>5</sup> <sub>10</sub>	1	0	0	0	6	4 <sup>11</sup> <sub>10</sub>
1832 „ 33	1	2	0 <sup>10</sup>	1	0	0	0	6	7 <sup>2</sup>
1833 „ 34	1	0	10	a 0	18	5	0	6	7
1834 „ 35	1	1	10	1	1	9	0	6	3
1835 „ 36	1	1	8	1	1	11	0	6	5 <sup>5</sup>
1836 „ 37	b 0	16	11 <sup>1</sup> <sub>2</sub>	b 0	19	2	b 0	5	1 <sup>2</sup>
1837 „ 38	1	0	10 <sup>2</sup>	1	1	0	0	5	10 <sup>5</sup>
1838 „ 39	1	2	4 <sup>8</sup>	1	2	1 <sup>6</sup>	0	6	2 <sup>2</sup>
1839 „ 40	0	19	9 <sup>8</sup> <sub>10</sub>	1	2	5	0	5	10
1840 „ 41	0	17	5 <sup>9</sup> <sub>10</sub>	1	3	1	0	5	10 <sup>9</sup>
1841 „ 42	c 0	17	4 <sup>1</sup> <sub>2</sub>	c 0	18	9 <sup>6</sup>	c 0	5	6 <sup>1</sup> <sub>2</sub>

a Stopped for a week or so for an advance in wages.

b Strike of the spinners, on which account the weaving factories were shut by the masters.

c On three-quarter time, during January, February, and March, 1842.

On the above table it may be remarked that seven dressers are able to keep from 170 to 190 looms going, that each tenter has about 60 looms under his charge, and each weaver (females) two looms. It may also be mentioned that the amount earned in most, if not all, cases depends upon the quality of the yarn, and other materials furnished, state of repair of the machinery, &c., &c.; also, a good deal depends upon the attention of the foreman or manager.

The description of work upon which the annexed table is formed, averages 4/4 11<sup>00</sup> reed, No. 40<sup>s</sup> yarns, both for warp and weft.

\* \* \* \*

*Glasgow,* \* \* \*

4th November, 1842.



*Spinning Mill,  
South Sarcmillfield.*

RETURN of the Amount of Wages earned per Week by a Spinner in 648 Spindles, from October 1830 to October 1842, shewing the Gross Amount paid to him by the Master; also the Net Amount which the Spinner receives after paying his three Piecers.

Date, Oct. to Oct.	Amount paid by the Mill-Owner to the Spinner per week.			Amount paid by the Spinner to his three Piecers per week.			Net Amount of Wages received by the Spinner per week.		
	£.	s.	d.	£.	s.	d.	£.	s.	d.
1830 to 31	2	9	4	0	14	6	1	14	10
1831 „ 32	2	12	1	0	14	6	1	17	7
1832 „ 33	2	10	2	0	14	6	1	15	8
1833 „ 34	2	9	0	0	14	6	1	14	6
1834 „ 35	2	7	6	0	14	6	1	13	0
1835 „ 36	2	10	2	0	14	6	1	15	8
<sup>a</sup> 1836 „ 37	1	18	9	0	12	4	1	6	5
1837 „ 38	1	17	7	0	14	6	1	3	1
1838 „ 39	1	13	7	0	14	6	0	19	1
1839 „ 40	1	12	2	0	13	6	0	18	8
1840 „ 41	1	14	5	0	13	6	1	0	11
1841 „ 42	1	11	2	0	12	3	0	18	11

<sup>a</sup> Strike of spinners, wages being reduced.

The remarks made on a weaving factory are also applicable to the above,—*viz.*—that much depends upon the quality of cotton, &c., furnished by the master; also upon the state of repair, &c., in which the machinery is kept; likewise upon the attention both of manager and operative.

*Note.*—The annexed table refers only to common mule jennies, spinning about No. 36 weft, or thirty-six hanks to the lb.

*Glasgow,*      \*      \*      \*

4th November, 1842.

LONDON:

PRINTED BY J. MITCHELL AND CO., (LATE BRETTLELL),  
RUPERT STREET, HAYMARKET.



V I E W

OF

SIR CHARLES METCALFE'S  
GOVERNMENT OF CANADA.

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By a Member of the Provincial Parliament.

---

L O N D O N :  
SMITH, ELDER AND CO. 65, CORNHILL.

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1844.

London :  
Printed by STEWART and MURRAY,  
Old Bailey.

## A VIEW,

&c.

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THE present existence in regard to Canada of the indifference with which Colonial affairs are usually regarded, has discouraged me from publishing these remarks on Sir Charles Metcalfe's Government. But, on the other hand, I believe that an extraordinary and very admirable man is greatly wronged by misconceptions of his conduct and policy which I can help to remove. I am persuaded also, that unless the misrepresentations on which these errors of opinion are founded, be corrected without delay, the peace of Canada, which involves the interests and honour of the empire, will ere long be seriously disturbed. If the peace of Canada should be disturbed, the state of the Colony would obtain plenty of notice by means of furnishing parties at home with weapons of attack upon each other: I am in hopes of being able to draw some attention to the subject while party spirit is asleep with regard to it, so that a removal of the false impressions which prevail may take place in time to be of service. Such are the considerations, outweighing a consciousness of the unpopularity of the topic, which induce me to send these pages to the press.

In speaking, however, of opinions from which I differ, as misconceptions or errors, I only mean to say that the impressions made on my own mind by personal observation on the spot, differ so materially from general opinion on the subject, that the latter necessarily appears to me erroneous. My object in this

publication is merely to state how my own opinion was formed, and the grounds on which it rests.

It appears to me then, that two very different classes of persons share in what I have ventured to term misconceptions of Sir Charles Metcalfe's conduct and policy. The first class consists of all whom the assertions of others have led to believe, that a theory of government is the true subject of difference between the Governor General of Canada and the late members of his Executive Council. Amongst these I must include the bulk of the Colonists, several writers in the newspaper press here, and those members of the House of Commons, not excepting Lord Stanley or Sir Robert Peel, who took part in the recent debate on this subject. The other class consists of the ex-Councillors themselves, who have, it appears to me, so entirely misapprehended the character of Sir Charles Metcalfe as to be incapable of justly appreciating his acts, and who therefore believe in some measure those misrepresentations of the difference between him and them, which they have diligently circulated, and which have been the means of wholly misleading the former class. I think it will appear presently, that Sir Charles Metcalfe is not quite free from the reproach of having unwittingly contributed to the formation of erroneous opinions about himself and his position.

The result of all the misrepresentation and misconception put together, is that we have a great disturbance, apparently about nothing. Neither in the debates of the Provincial Assembly, nor in those of the House of Commons, nor in the newspapers of this country or of the Colony, can one find a specific intelligible statement of the grounds of difference between Sir Charles Metcalfe and his Councillors. In looking for such a statement we meet with nothing but controversy upon theories of government, and get ourselves involved in a labyrinth of abstractions and self-contradictions. The Big and Little Eudians seem to have had a definite and practical view of their subject, when we compare them with some talkers and writers about Sir Charles Metcalfe's proceedings. On what point did he differ with his Councillors? Ask whom you will, and the answer is—it was about responsible government. But what is responsible government? Oh, it signifies government carried on through a Provin-

cial Administration, enjoying the confidence of the representative body. But that is precisely what Sir Charles Metcalfe and the ex-Councillors agree in saying that they mean by it. Upon responsible government they agree ; about what is it they differ ? They differ, it has been said, about the interpretation of the words "government carried on through a Provincial Administration enjoying the confidence of the representative body"—which is their joint interpretation of the words "responsible government." And yet, if we examine what both parties have written by way of interpretation of the interpretation, we shall find them agreeing again as completely as before. In like manner, the House of Assembly, when by one paragraph of a resolution it expressed its confidence in the ex-Councillors for having retired from office because the Governor General refused to enter into an engagement with them respecting the future exercise of a prerogative of the Crown, by another paragraph of the same resolution emphatically declared its approval of that very refusal of the Governor General which the ex-Councillors had assigned as the cause of their resignation. It is thus all through the chapter of controversy. Nobody can tell, so as to make himself intelligible to any body else, what the dispute was really about. The only inference to be drawn from the subsequent discussions is, that it was *not* about responsible government. It is, however, a step in the enquiry to have arrived at this negation.

In one of Sir Charles Metcalfe's answers to addresses from the Assembly, he speaks of a certain "antagonism" between himself and the members of his Council, which he intimates had existed throughout their intercourse with him. This is all he says on the subject. I am not myself acquainted with the whole subject ; but what I do know shall now be related.

The first and a very large portion of the story must consist of some account of the singular character of Sir Charles Metcalfe.

It is a common saying in Canada that the Governor General works like a slave. His work, however, differs from that of the slave inasmuch as he seems to take great pleasure in it. I have never known any body in public or private life, who appeared so to love labor for its own sake. It is not that he indulges in but little relaxation ; for he is unceasingly at work except when eat-

ing or asleep. The heaps of papers which most men in high office look at with ill-concealed dismay, and never intend to read through if they can help it, he grasps with evident satisfaction, and surely reads every word of their contents. Of the countless applications for interviews on business, most of which common Governors evade if they can, he never refuses, still less evades, a single one. Nor does tiresomeness fatigue him : it is said that he hears every story to the end, and never attempts to close an interview except by occasionally wearing out importunity by silence. How he finds the time is a problem : I know only that he is never in a hurry.

The public often hears of Sir Charles Metcalfe's munificence. That might be, to a person of his fortune, an easy mode of self-gratification. But if his unknown charities may be measured by reference to the small proportion of such acts of mere benevolence which usually becomes known, he gives more away secretly than in public. Nor is his kindness of heart alone displayed in helping people who want money. It appears in the forms of a ready sympathy with every case of suffering, and still more agreeably in a never-failing and most delicate consideration for the feelings of others. That generosity which has been called politeness of the heart, is especially his.

And this reminds me to speak of another kind of charity which seems to be one of his habits. I mean the spirit of toleration ; the predisposition to think well of every body ; the unwillingness to condemn ; the love of favourable construction of the opinions and acts of others ; the total absence of the bad part of what the phrenologists call combativeness.

A strong love of justice generally accompanies the quality last described. In Sir Charles Metcalfe it appears to be always active. I believe it to be the governing motive of every one of his decisions on two-sided matters. On several occasions I have advised applicants to him for the redress of an injury, to be sure and explain the *injustice* they had suffered ; and the result always answered my expectations. I fancy that I could with certainty foretell his determination in any case involving a question of justice.

The kindred qualities of sincerity and honesty have their

natural place in this large family of virtues. But they are more than commonly vigorous in Sir Charles Metcalfe. Not merely is he, as the reader would take for granted, incapable of saying the thing which is not, but he will say out the full plain truth, to his own great disadvantage, whenever his silence about it would be apt to leave a wrong impression on anybody's mind. And as for honesty, it is not enough to say that nothing would persuade him to take an unfair advantage: he can hardly bring himself to take a fair one. It may be questioned whether he would train his own horse for a race if he thought that the other horses would not be trained: he would hesitate about engaging counsel to manage his cause, if the other party were too poor or silly to employ counsel. Some may think I am describing a goose; but such is the man; and it will be seen in the sequel, that a description of this man's peculiar character is a necessary part of my explanation.

For the direct purpose of stating the fact, it were needless to say that Sir Charles Metcalfe dislikes in others every species of deceit and overreaching. I say it for the indirect purpose of exhibiting a very different trait in his character. Trickery excites in him a feeling very like anger. And yet it is not anger; for instead of having great command of temper, or an excellent temper, he is really without a temper. I never witnessed such patience under provocation. I am speaking now of what I saw myself, and could not have believed without seeing. It was not merely quiet endurance, but a constant, good-humoured, cheerfulness and lightness of heart, in the midst of trouble enough to provoke a saint or make a strong man ill. To those who, like me, have seen three Governors of Canada literally worried to death, this was a glorious spectacle.

In self reliance few are equal to Sir Charles Metcalfe, none superior. He never turns to his neighbour to ask what he thinks or what ought to be done. Like a spider its web out of its own body, he spins his opinions out of his own brain; and then, as their formation was not affected, so are they unchangeable by any external influence.

This is a dangerous quality unless accompanied by abundance of caution. His caution may be termed a wariness that never



sleeps. He is slow of decision. When examining questions, whether for judgment or action, he casts about so long in search of all the pros and cons, that you imagine he hesitates to decide. It is not hesitation, but a deliberate circumspection. He won't be hurried. The only fear I ever observed in him was, the fear of making a mistake from ignorance or inadvertence. The time which he bestowed on enquiry or deliberation was not always in proportion to the seeming importance or complication of the case; but still it was plain that he went by some rule which procured for all cases a great deal of consideration, and for each as much as sufficed to make him master of the whole case; not the general features only, but even the minutest particulars. It is again a puzzle to know how he found the time.

Such circumspection or wariness is naturally uncommunicative. Sir Charles Metcalfe must have a great bump of secretiveness. Though chatty, (I would say jolly if it were not indecorous,) out of business, on business he never speaks unnecessarily. Even on occasions of the utmost interest to him, no word or look betrays his thoughts unless he chooses to disclose them; and then he speaks with absolute unreserve. I was often amused by hearing of the total failure of attempts by old hands at Governor-pumping to get at his intention, or opinion, or impression, when he had a mind to keep it to himself; and the cases were frequent in which a listener, accustomed to official mystification, doubted the truth of his communication because it was so complete and unmistakeable.

His courage is of the highest order, comprising both sorts of fearlessness; both the physical boldness which depends on nervous organization, and that much rarer, that far more admirable moral valour, which resides in a powerful conscience. It has been said that conscience in most men is an anticipation of the opinions of others. Of this sort of conscience, Sir Charles Metcalfe is curiously destitute. For example, the ordinary Governor of a Colony, whose enjoyment of pay and authority is a great personal object to him, but whose Government is not of sufficient importance to attract party notice at home, ever keeps in view as the guide of his conduct the purpose of doing what he thinks will be agreeable to the Colonial Office and recommend

him to the favor of that Department; whilst a Governor of higher social position at home, such as the ex-Cabinet-Ministers and ex-Ambassador whom the rebellions in Canada have recently induced the Home Government to send thither as chief rulers, is commonly apt to think a great deal about the manner in which his acts as Governor of the Colony will affect his reputation and after-position at home—to consult much less “the still small voice” than the opinion of the side of St. James’s Street which happens to be that of his party club. Whereas God made Sir Charles Metcalfe greater than the Colonial Office; and sure I am he never dreams, nor would care for it if he did, about what people may say of him at White’s or Brookes’s. His own sense of right is his conscience.

In official and even professional life most consciences are double, being composed of two senses, a public and a private one: wherefore officials and lawyers often defend without shame what they would blush to think of doing in private life. But Sir Charles Metcalfe’s is a single conscience, and of the private kind: his whole public life accordingly is regulated by the obligations of honor or religion. Whether it is religion, or that honor which chivalry has handed down to us from a religious source, I cannot determine because I have had no sufficient means of observing. But why not both in one, as with the true knight of old? Taking this view, along with Sir Charles Metcalfe’s intimate friends, we should call him a Christian gentleman. The point, however, which I wish to impress, is that the conscience of the man, let us describe it how we may, is the conscience of the Governor.

This moral instinct, combined with total disregard of personal consequences and the opinion of others, amounts to originality. Sir Charles Metcalfe accordingly does things that startle one. He squanders his own money, and saves that of the Colony: he exalts the reputation of his immediate predecessor: being told that any pardon of a French-Canadian rebel for which he should ask specifically, would be at once granted and sent out to New South Wales, he asked a pardon for every one of those poor exiles, and then contributed handsomely to a subscription for enabling them to return to their country.

Fine as this character is, it is not without defects, or rather deficiencies. These must not be left out of a portrait, the object of which is to show how the qualities of an individual have influenced public affairs.

It appeared to me that in Sir Charles Metcalfe, the greatness of the moral qualities have left too little room for intellectual activity on the same grand scale. A dulness of the faculty of perception was obvious, and a consequent slowness in estimating the character and discovering the motives of other men. In powers of expression and argumentation, and consequently in the power of persuading or convincing, there is a striking deficiency in comparison with the greatness of the virtues before enumerated. Neither his pen nor his voice, therefore, ever properly expresses the noble sentiments of his heart, or the wise conclusions of his judgment. It follows that other people are apt to misconceive his aims and motives, and form an erroneous estimate of his character. I have imagined, also, that his mind is not accustomed to laying down plans for the attainment of definite ends; that his only plan is from time to time, as events occur, to do whatever the sense of duty tells him is right at the time and for the occasion; that he always relies, for success, not enough on the careful adaptation of means to the end in view, nor even on a very clear conception of any end, but too much on some belief in the sufficient efficacy of goodness and devotion to the public welfare. If, for example, the gaining of an election were of great importance to him, and he were urged to make or withhold some appointment with a view of inducing a majority of voters to support the Government candidate, he would stare, smile, thank you with much good-humour and politeness for the friendly suggestion, and let you go away exclaiming—This man has no notion of governing except by means of truth and justice. In this way partisans are discouraged. It may be grand, but is wholly at variance with the practice of representative government. The very magnificence of such a character has an overawing, even a depressing effect on others, wounds their self-love, and breeds hatred in little minds.

In order to describe the state of Government which Sir

Charles Metcalfe found on his arrival, it is necessary to take a brief retrospect of the affairs of the Province from the time of Lord Durham's mission.

The enquiries of Lord Durham, the result of which has been given to the public in his celebrated Report, established beyond all manner of doubt, that the disorders of the two Provinces, which he was betrayed while attempting to remedy, had been chiefly occasioned by giving representation to the people and withholding from their representatives all control over the executive Government. In both Provinces, the Governor and the members of his Executive Council were generally at open war with the Assembly. In Lower Canada, for many a year, the Government party in the Assembly numbered about an eighth of the whole; and this small minority was led by the principal officer of the Government through an uninterrupted course of defeat from the first to the last day of the session. It was as if Sir Robert Peel at this time governed England with the support of about a hundred members of the House of Commons, the remaining five hundred and fifty-eight being of course outrageously opposed to him. Here an attempt to govern under the representative system according to the pleasure of the minority would produce instant revolution; or rather the proposer of such a scheme would be sent to Bedlam. In Canada the system was long maintained by means of the Imperial power, but at last, as was sooner or later inevitable, it exploded in rebellion.

When Lord Durham proposed the Union of the Canadas as a means of putting an end to the war of races which had grown up in the Lower Province, he also urgently recommended that the explosive plan of giving power to the minority should be forever abandoned; and when the first Parliament of the United Province met, his successor, Lord Sydenham, carried the recommendation into effect.

The circumstances and the manner, however, in which Lord Sydenham adopted what Lord Durham had termed "responsible government," requires a particular explanation.

When the British Act for uniting the Provinces gave back representation to the Lower Canadians, the great majority of them, who were of French origin, and who had suffered every

species of injustice while the Constitution was suspended, were totally estranged from the Government. Not one executive office of political consequence was filled by a person of their race. The Union was hateful to them; because described by the other race as intended to deprive them, by force, of their peculiar language and institutions, and because the mode of governing them while the Constitution was suspended gave a colour of truth to the threat. At the general election, therefore, for the first Parliament under the Union, the whole population of French origin sought to return members who were opposed to the Union and Lord Sydenham. Their purpose was frustrated in some measure, partly by the exercise of a power given to the Governor by the Union Act, of disfranchising many of the French-Canadian electors of Quebec and Montreal, and partly by Government interference with the elections for several counties, whereby the minority was enabled to prevail over the majority. The first Assembly therefore, under the Union was not a fair representation of the constituencies. It was only in harmony with the majority of the Assembly *so composed*, that Lord Sydenham undertook to govern under the new constitution. But, allowing for this irregularity in the composition of the representative body, he fully adopted the principle of responsible government: as regards the local affairs of the Province, whatever he did was to be approved by a majority of the Assembly, and he was to do whatever they recommended.

Such government requires a machinery of Executive Officers having seats in the Assembly, and carrying on the business of the Executive as Ministers do in the House of Commons. Lord Sydenham, therefore, formed a Provincial Administration or Ministry. It consisted of the members of his Executive Council, who, with the exception of the President, were Law Officers, or Heads of Departments. The President had a seat in the Legislative Council or Upper House of Parliament; and all the others were members of the Assembly.

But this Ministry differed from that of "the Old Country" in a very material point. Here the Administration consists of the leading men of the party which happens to be most numerous in the House of Commons; of men who, on that

account alone, are appointed to office by the Sovereign. Lord Sydenham's Ministers would have been perfectly helpless in the Assembly without his constant aid. In fact, he was his own Minister; the Prime-Minister of his Cabinet and more; for his Executive Councillors were mere instruments in his hand for the purpose of carrying on the Executive government, and managing the Assembly under his incessant teaching and drilling. His system more resembled that of the present King of the French than of the British Sovereign at all times.

So long, however, as a majority of the Assembly was content, the conditions of responsible government were observed, and there was harmony between the representative body and the Executive. Lord Sydenham kept on good terms with the Assembly, partly by means of what he has called "my wand," and partly by yielding to them whenever they insisted on any point in opposition to his views. His skill in using the wand was much admired, but less remarkable, it struck many, than the adroitness with which he averted the appearance of defeat by yielding with the air of having his own way. Of his proficiency in the latter art a good example is furnished by what occurred with respect to the Resolutions of the House of Assembly of September 1841, declaratory of responsible government, of which so much use has been made in the present controversy. These resolutions were proposed by Mr. Baldwin, an Opposition leader. Lord Sydenham's strong dislike to them is unquestionable. When he found that the Assembly was disposed to adopt them, he sent one of his Councillors down to the House with orders to move as an amendment Resolutions somewhat different in form and words, but precisely the same in substance. Responsible government was affirmed by acclamation, the Representative of the Crown shouting aye with the loudest of them.

The passing of these Resolutions by the Assembly was an act out of the course of ordinary government. It was a revolutionary act, like the establishment of Magna Charta or the Bill of Rights. The passing of such Resolutions, moreover, was an act at variance with the British Constitution, which nowhere

*declares* the responsibility of Ministers, but secures it by a tacit understanding between the Crown and the House of Commons. If, therefore, those Resolutions had been opposed by Lord Sydenham, and passed by the Assembly notwithstanding, Canada would have been in a revolutionary state, and the Union would have been deemed a failure. Lord Sydenham's whole policy at the time may be described as consisting of a determination to make the Union succeed, or appear successful. Hence his ready and apparently self-satisfied assent to what he would have resolutely opposed, if successful opposition had been possible.

It was impossible. The favour of a majority towards these Resolutions was owing to a monstrous injustice then existing in the composition of the Executive Government. The whole of the French-Canadian members, (that is, members, whether of French or English origin, representing constituencies of French origin) were excluded from office—were the representatives of a people still proscribed by the Executive, though now re-admitted to the enjoyment of representation; and they accordingly formed a compact and unmanageable Opposition. Their own strength in the Assembly was insufficient to carry the Resolutions against Lord Sydenham's wish; but there was plenty of support in store for them. On this question every member would have voted with them, who dared to express his sense of the injustice of a continued proscription of their race. The passing of the Resolutions was a sort of notice to Lord Sydenham, that this proscription would not be much longer tolerated; and by accepting the notice, he acknowledged the impossibility of continuing for ever to exclude the French-Canadians from all share in the Executive government of their country.

By means of such concessions as this, added to the other means before named, Lord Sydenham got through the session in triumph. His brother and Secretary have made known his exultation at the difficult success. But it was fortunate for his Councillors or Ministers that the session ended with his life. If they had continued to meet the Assembly unsupported by his wits and will, their majority would soon have disappeared; and responsible government, as set forth by the Resolutions of Sep-

tember 1841, would have been brought to a practical test. As it was, the Ministry which Lord Sydenham bequeathed to his successor, had only the easy task of conducting the business of the Departments during a long recess of Parliament.

Sir Charles Bagot, on his arrival in Canada, adopted Lord Sydenham's Ministry as he found it. But shortly before the second meeting of the first United Parliament, it became plain to careful observers, that a majority of the Assembly would oppose the Government as then constituted. Sir Charles Bagot therefore had to choose between making some important change in the composition of his Council, and falling into collision with the Assembly according to custom before the Union. He wisely preferred the former. I am bound to add, that this kind, true, and honourable Governor was shocked at the injustice of the exclusion of the French-Canadians from all part in the Government, and is believed to have rejoiced at the opportunity of taking some of their leaders into his Council of advisers. It was much easier, however, to wish this than to do it. Some of the difficulties and the means by which they were overcome, are set forth in a letter, appended to these remarks, which expressed my sentiments at the time. After the failure of various negotiations in consequence of Mr. Lafontaine's natural suspicion that the Governor General's offer of so large a share of power to his hitherto proscribed countrymen was not sincere, and also in consequence of Mr. Baldwin's wish to oust Lord Sydenham's Ministry *en bloc* with a view of being "sent for" himself and desired to form a new Ministry, an arrangement was made by which about half of Lord Sydenham's Councillors retired, and were replaced by as many members of the Opposition. The Assembly which would have voted against an echo-address in answer to the Governor's speech by about 2 to 1, now warmly expressed its confidence in the Government by a majority of 10 to 1 of the Members present. The working of responsible government had preserved harmony between the Crown and the Representative body. The modification or change of Ministry in 1842 crowned the resolutions of September 1841, by giving them full effect in practice.

The letter in the Appendix shows that the Lafontaine-Baldwin Ministry was really formed with the other view that it was of



doing justice to the French Canadians ; and that Mr. Baldwin was brought into power merely as the nominee of the French-Canadian leaders, who thus paid him a debt of gratitude which they had contracted when he resigned office under Lord Sydenham on account of their exclusion from power. When the French Canadians made Mr. Baldwin a Minister under Sir Charles Bagot, he was the leader of a section of the Opposition in the Assembly composed of *four* Upper Canada Members, himself included. This is a point to be carefully borne in mind.

The Resolutions of September 1841 determined those relations between a Ministry and the Representative body, for which usage is the sole guarantee in this country ; but they leave wholly untouched that other part of the machinery of Parliamentary government which consists of the relations between a Ministry and the Crown. In this country, these latter relations are settled like the former, by usage, and depend on the good sense of the parties. They were in no way settled in Canada under Sir Charles Bagot. His Excellency fell into severe illness almost immediately after the formation of the Lafontaine-Baldwin Council, and became incapable of exercising the functions of Governor. The New Council or Ministry, therefore, had in truth no relations with the Governor, but ruled the Province executively without the participation or knowledge of any representative of the Crown. This state of things lasted until the arrival of Sir Charles Metcalfe.

When it was seen that the good sense of the French-Canadian leaders of the Assembly would force Mr. Lafontaine to accept Sir Charles Bagot's offer, after he had refused it once, and notwithstanding Mr. Baldwin's wish that he should continue to refuse it, the latter expressed his anger in as bitter a speech as was ever heard in a public assembly. That anger was attributed to a fear on his part, that if he were only introduced into a Ministry, not allowed to form one, his influence with his colleagues would be insufficient to satisfy his extravagant self-esteem. The fear, if it existed, was without foundation. The apparent modification of the Council, under Sir Charles Bagot, was really a change of Ministry. The Council acknowledged Mr. Lafontaine and Mr. Baldwin as its masters from the moment

of their introduction ; and they divided between them the exercise of all power, according to the old divisions of the Province ; Mr. Lafontaine doing what he pleased in Lower, and Mr. Baldwin in Upper Canada.

Mr. Baldwin cared little about Lower Canada. His influence with respect to measures affecting Upper Canada only, was as great as if the Council had been formed by him ; and then, with respect to general measures—that is, measures affecting the whole Province without distinction—there can be no doubt that his superior will and stronger party-spirit enabled him to gain an ascendancy over Mr. Lafontaine, which made him the leader of the Council, though it bore their joint names and Mr. Lafontaine's was pronounced first.

It is here necessary for me to state, that having taken a very active part in promoting that change under Sir Charles Bagot which admitted French-Canadians to a share of power, I was elected a Member of the Assembly by an important county of Lower Canada, in which the two races are mixed in nearly equal proportions, for the purpose of showing to the Colonial Office, as well as a single election could show it, that Sir Charles Bagot's policy of "Justice to the French-Canadians" was approved by the constituencies as well as by the Assembly.

Upon Sir Charles Metcalfe's arrival, he followed the example of Sir Charles Bagot, by adopting the Council as he found it.

I was not in Canada at the time, and cannot speak with confidence of anything that happened there until the meeting of the Provincial Parliament at the end of September last, when I reached Kingston for the purpose of taking my seat in the Assembly, and voting in support of the Provincial Ministry which, as the Letter in the Appendix partly shows, I had been much concerned in forming. It is requisite to add, that all its members were aware that I had come out to Canada with a very high opinion of Sir Charles Metcalfe's character, though not so distinct a one as that which has been here expressed.

The session had lasted just a fortnight, when I sent the letter, of which a copy follows, to an attached friend of Sir Charles Metcalfe's, who had served under him in India and took a warm interest in his personal success as Governor General of Canada.

Kingston, 11th October, 1843.

“My dear Mangles,—A fortnight’s stay here enables me to keep my promise as to letting you know something of the true state of affairs in Canada ; but I shall only have time to speak in general terms. Learn also, that I know nothing except as anybody else might pick it up, having had no communication with Sir Charles on the subject of politics. I dined with him the other day, when he asked very kindly after you.

“In what may be called my time, Canada has never been so tranquil as now. Sir Charles Bagot’s policy has proved completely successful. The Government which he formed enjoys the confidence of a large majority of the people and the Assembly. In the House of Assembly, the Opposition consists of twenty votes, at the most, out of eighty-four ; and the leaders are reduced to mere fault-finding ; having no plan, no policy, either for the country or their party. Hitherto they have done little more than harp on the worn-out strings of disaffection and loyalty. The Government, on the other hand, has been diligently occupied during the recess in preparing measures to be submitted to the Assembly ;—measures urgently required, likely to be very popular, and framed, so far as I can judge at present, with a view to sufficiency and lasting utility. This is the first Government I have known in Canada, which might be called *constructive*. Lord Sydenham was a great destroyer, but a miserable builder. The attitude of the present Government towards the country is also most respectable. I can observe no lies, no tricks, no shuffling, but many indications of honesty of purpose, to which they add a decorum and even dignity of manner, unexampled in the class of men who have hitherto ruled in both divisions of the Province. I am now speaking in particular of Messrs. Lafontaine and Baldwin, the leaders of the Government party in the House of Assembly. The only question, as far as I can see, at all likely to embarrass the Government, is that of the *Seat of Government*. Lord Stanley, instead of making the Queen decide that prerogative question, as the local Government and nearly the whole Province desired, has submitted it to the decision of the local Legislature, and in such

a form as to enable the Opposition to exert themselves with effect in converting it into a question between the two Provinces, Upper and Lower Canada. The Government goes for Montreal, and stakes its existence on carrying the point. If you were aware of the extreme general inconveniences and gross injustice towards the French-Canadians, of keeping the Government in a sort of banishment at this village, you would see that they have only done their duty in committing themselves as they have done on the subject. I have no doubt that they will carry their point, if other things go well.

“ But now as to other things, there are, I fancy, some black clouds a-head. The chief Executive Councillors are very silent, and I can learn little or nothing from them ; but my experience in these matters enables me to observe indications of a tendency (I speak only of a tendency) in Sir Charles Metcalfe’s views, which may prove most injurious to this country and fatal to his own great reputation. I gather that he is as truly conscientious and noble-hearted, as capable and industrious in administration, as single-minded and courageous, as worthy of love and admiration, as you ever told me he was ; but that the long habit of exercising a paternal despotism makes it difficult for him to comprehend the nature and consequences of the representative system. If this notion of mine should be correct, of course he is in great danger. I imagine it is this habit, combined with a strong sense of duty, which leads him to work like a slave at all sorts of matters of detail ; as if it were necessary that his knowledge of what is going on should be as full and minute as that of all the heads of departments and all the clerks put together. After all, he might as well try to drink Ontario dry. But fancy the terrible delay of business which ensues from this attempt of one person to review and redecide every question which has been already examined and decided by those whom the representatives of the people hold alone responsible. It must necessarily happen too, under this system, that differences of opinion will arise between the Governor and his Council ; when, if his opinion prevails, they must either resign or abandon some point as to which their judgment has been formed with a view to the feelings of the country and the Assembly. I cannot learn

whether any differences of such importance have yet arisen between the Governor and his Council. But I feel certain, if they should occur, the present 'Ministers,' so to speak, will choose to rely rather on the country than on the temporary Governor; and that, if he should force them to retire on a question of this sort, he will be unable to replace them without getting into violent collision with the representative body, whether it be the present Assembly or one returned by a general election. I suspect that the Beauharnois police question is a case in point, fancying (though I am by no means sure) that it is the Governor who has removed the troops against the opinion of the Council. If it be so, they will have to be dragged through the dirt of bearing heavy blame which they do not deserve. Such a state of relations between the Governor and his Council (if it really exist) cannot last long. I hope that my apprehensions may be ill-founded, but cannot help entertaining them.

At the same time, it is hard to believe that a man of Sir Charles Metcalfe's wisdom will not find out the true nature of his mission, as Governor of a *Parliamented* country. He may do so slowly (for I suspect that in his mind, the faculty of quick, rough-and-ready penetration—the clever attorney's faculty—has been absorbed in the nobler qualities) but sooner or later he must discover the truth. It is, therefore, only the pressure of time which makes me seriously afraid. I long to go and plead to him on the subject, but dare not. I had set my mind on his being the man to *establish* constitutional government in this country, and shall be bitterly disappointed if he break down in attempting to rule with his own hand. I have a profound conviction that such an attempt must utterly fail.

"Ever your's most truly,

"E. G. WAKEFIELD.

"R. D. Mangles, Esq., M.P."

These impressions with respect to Sir Charles Metcalfe were derived from the town-talk of Kingston, and from a marked unwillingness of the leading members of the Council to speak of him to me. The town-talk, which only repeated the conver-

sations of some Members of the Council with various persons then at the seat of Government, alleged that Messrs. Lafontaine and Baldwin were somehow or other on bad terms with the Governor General; that they represented him as being either stupid or canning, and at any rate disposed to take the whole administration of government into his own hands, leaving them no share at all; that they called him "Square-toes," to intimate that they deemed him an old-fashioned person of very inferior capacity. And the marked reserve of the leaders towards me with respect to their opinion of Sir Charles Metcalfe, satisfied me that the town-talk concerning that opinion was not unfounded. It was clear that some antagonism had grown up between him and them; and as it seemed impossible that their complaints against him should be wholly unfounded, whilst not a word had reached me of any complaint from him against them, I could discover no feasible explanation of the mischief, save that which appears in the above letter.

However, a fortnight later, on the 27th October, I wrote as follows.

" Kingston, 27th October, 1843.

" Another fortnight's observation induces me to correct a material part of my first letter, or rather to add materially to that report.

" I am now inclined to think that Messrs. Lafontaine and Baldwin, the real leaders in the Executive Council, have very much overlooked that principle of responsible government, which in my former letter I said that perhaps the Governor General was not sufficiently inclined to admit. I can speak with no certainty, but gather from one indication or another, that, as respects the Governor General and his Council, *the manner* of the principal Councillors has been not a little offensive. I do not mean personal manners, but the mode in which these gentlemen have conducted their intercourse with the Head of the Government. To describe this in a few words, I guess that they have denied to the Governor General that degree of participation in public affairs which belongs to every Councillor; that they have not only, not treated the Governor General

as the head of the Council, but have also denied him the equal position of a Councillor. For example, I imagine that they never really consult him, but always make up their own minds on a point before speaking to him, and then speak to him only for the purpose of urging their own preconceived notion. This will never do ; this is not responsible government, but sheer folly exhibiting itself in the form of vulgar assumption. I take the state of the case to be about this—He, from long habit, desires to exercise his own mind upon every thing ; they, from stupidity, desire to prevent him from having any voice in any thing : and thus he is provoked into wishing for more control than would satisfy him if they left him a reasonable share. The fault is clearly all on their side. In a word, they must have been a couple of geese *thus* to get on bad terms with so excellent a man. I think that they will have to give way ; that is, provided they should have sense enough. If not, he will probably quarrel with them, and we shall have what is called a “ Ministerial crisis.” I should have no objection even to that, could I but be sure that the Governor General would pick well his ground of quarrel, and would only quarrel with the men, not with the great majority whom they represent for the time. What I fear, is, that they may manage to put the quarrel on some ground in which the public may sympathize with them. Should this last happen, he is a lost Governor. In the other case, that is, supposing that he differs only with the men without offending the public, it will be well and good for every body that these foolish fellows should be replaced by men of more sense and conduct. I believe this view of the case to be correct, but even now I am not quite sure. Another fortnight will probably show. Should it be so, I shall certainly take part with the Governor General, and do all I can to sustain him.”

The “ indications ” mentioned were, first, a tone of arrogance and bitterness towards Sir Charles Metcalfe, in the language of some of the Executive Councillors, who spoke freely about him in their own society, and whose every word on the subject was, of course, repeated to every body in a small town like Kingston ; secondly, assertions made by them that he was wholly unfit for

his post, and would not be able to keep it long ; and, thirdly, proofs that the Governor's personal officers were ignorant of very important determinations of the Executive Council, which had not been kept secret from several members of the Assembly, whence it was naturally inferred, that the Head of the Government himself was kept in ignorance of such determinations. This inference afterwards turned out to have been perfectly correct.

On the 11th of November, I wrote as follows :—

“Kingston, 11th November, 1843.

“It has turned out as I opined in my last, of the 27th ultimo. I now *know* that Messrs. Lafontaine and Baldwin have got thoroughly into the Governor General's bad graces. So they have into mine, by reason of various follies, and above all, by a course of treachery towards a colleague who greatly helped to bring them into power. Until this came out, I spared no pains to induce them to act prudently with respect to Sir Charles and other matters ; but since then we have had no intercourse. An accident constituted me the defender of the colleague (Daly) in the Assembly, and they can never forgive it.

I cannot doubt any longer that Sir Charles will come to an open rupture with them ere long ; and my only fear is, that they, who must be expecting this, may manage either to put the rupture on some ground in which the majority of the Assembly will sympathise with them, or to put it off till I shall be gone. If the Governor chooses his ground well, and acts promptly, I shall be able to serve him. Your friend behaves with entire propriety towards them, having even abstained from giving any answer to an offer which I made him the other day, to render him any service in my power. I expected that he would so receive it, but thought myself not the less bound to make the offer. It was limited to the brief space of my stay here.

“It is a great satisfaction to me to be able to take part with rather than against him.”

The *knowledge* here mentioned, was obtained through the following circumstances :—



I was in the House of Assembly when a regular supporter of the Government, but not holding any office, made a speech suggesting the impeachment of an Executive Councillor, Mr. Daly, the Secretary of the Province, for having advised Lord Sydenham to make, in favour of the said Mr. Daly, an unlawful appropriation of the Colonial Revenue. So little had such an attack been expected, that the person accused was not present, and the Members generally were in total ignorance of the subject. When the accuser sat down, it was, of course, supposed that the Ministers present would defend their absent colleague. Instead of this, two members of the Executive Council, Mr. Hincks, Inspector General of Accounts, and Mr. Aylwin, Solicitor General for Lower Canada, one of them being a dependent of Mr. Baldwin's, and the other of Mr. Lafontaine's, made speeches admitting the guilt of their colleague, but deprecating inquiry into a matter which was already so plain. Mr. Lafontaine and Mr. Baldwin were present, but said nothing. Shocked at their treachery to Mr. Daly, I upbraided them with it, and insisted on a full inquiry into the subject. The whole House, with the exception of the "Treasury Bench," where disappointment and confusion were manifest, took my view; a select committee was appointed by acclamation, the greatest number of votes being given for me in choosing its members; and this Committee in a few hours reported (the accuser being chairman and drawing the report) that not a shadow of ground had ever existed for any charge against Mr. Daly. During the inquiry by the Committee, Mr. Daly necessarily made me acquainted with all the circumstances of the case; and I then learned that a very serious difference with respect to it had for some time existed between the Governor General and all his Councillors except Mr. Daly.

About this time Mr. Hincks, the Inspector General, announced in the House of Assembly that his colleague, Mr. Killaly, Chairman of the Board of Works, an Executive Councillor, and a Member of the Assembly, was about, with the full concurrence of his colleagues, to retire from the Council and the Assembly for the purpose of devoting himself to the business of his department. It was as if Mr. Goulburn were now to announce in the House of Commons that Lord Stanley was about to retire from

the Cabinet and Parliament, with a view of giving more attention to the Colonies, and that henceforth the office of Colonial Minister would not be political. In doing so, the Chancellor of the Exchequer would not fail to say, that such was Her Majesty's pleasure. But the Canadian Mr. Goulburn did not mention the Head of the Government in his announcement; and, what is of rather more consequence, the first intimation that the Governor General received of the intended change, was from one of his Aides-de-camp who chanced to be present whilst Mr. Hincks was speaking.

Another case in which the Councillors treated the Head of the Government as a mere cipher, came under my own observation. Although at that time I had not exchanged two words with His Excellency on any political matter whatever, I thought myself justified in waiting upon him for the purpose of learning his opinion on a measure of great importance to both races in the Colony, but especially to the French race, and to the success of which the aid of the Imperial Government was indispensable. I began by alluding to a negotiation on the subject which had taken place between the Government and certain members of the Assembly, and had ended in the assent of the Government, subject to conditions, to the appointment of a Committee of the Assembly to examine the question. I had mentioned the negotiation and was speaking of the conditions, when the Governor General said that he had not before heard of either. I could not help replying—"this is not responsible government according to my notions." Nothing more passed; but I may as well add here, that on no other occasion, until after the Governor General had accepted the resignation of his Councillors, did he intimate to me that he had any reason to complain of them.

Amongst the "follies" alluded to in the preceding letter, was the mismanagement in the Legislative Council of the "Seat of Government" question, to such an extent that nearly all the Upper Canada members of that body retired to their homes, and legislation for the whole province was carried on in the Upper House almost solely by Lower Canada members, most of them being of French origin; whilst the number of members who remained

scarcely exceeded a quorum, so that the absence of two or three members, from any cause, would have put a stop to the session.

On the 25th and 26th November I wrote thus :—

Kingston, 25th November, 1843.

“ I only write to you on that portion of Canada politics which is interesting to you.

“ The Governor General’s position has not improved since my last. He has had, I think, the opportunity of breaking with his Ministers on tenable ground, but seems to have let it slip. Perhaps not; I speak only of appearances. This, however, is certain; that if the Ministers pursue their heedless course with respect to *Upper* Canada, the country will soon be in a mess as well as the Governor General. I am so apprehensive of danger from this kind of impolicy, that I should have spoken out against the Government ere now, on the subject of Upper Canada, were it not that I am unwilling to do *him* the bad turn of shooting the bird which I suppose him to be aiming at from behind the hedge of reserve which conceals him from vulgar eyes. But if he don’t fire soon, I must. Nor is this the only subject on which I feel at variance with the Ministers. The rigid and exacting spirit in which they administer power (I speak of them as a whole, for there are among them men of both races whom I greatly respect and regard) has become intolerable, and will be their ruin; and of the responsibility for this, I am determined not to bear that share which belongs to a supporting Member of the Assembly. It will annoy me to declare publicly that I can no longer support Sir Charles Metcalfe’s Administration; because I am sure that he differs quite as much as I do with his Ministers with respect to their presumptuous and intolerant spirit (nay, is probably himself its victim); but come what may, I must so far speak out as to escape the responsibility of appearing to support what I cordially disapprove. A few days will tell us all where we are. You will see, of course, that if Sir Charles should break with his Ministers before I do, he will have a zealous supporter in me. The balance of my opinion is, that he *will*; but I have no specific facts to judge by—only general indications, and the looseness of tongue of a Minister or two who

can retain nothing. I have, however, thought it a duty to let him know what I intend to do; and this is all the communication that has passed between us.

The Session will probably last into next year; but I shall stay no longer than may be requisite for setting myself right in one or other of the two ways which I have pointed out."

"P.S.—Sunday, 26th.

"I was just going to seal this, when information reached me to the effect that all the Ministers, with the exception of Daly, after a Council held this morning, have resigned their offices; the ground of resignation being that Sir Charles refused to comply with a demand of theirs that no appointment should be made by him without first submitting to them his intention to make it, or, in fact, getting their assent. The ground is *not* good for him, speaking generally; nor for them in the particular case, because there can be no doubt that it is not true ground, but a pretext made for the occasion when they found that he was resolved to get rid of them at all events. There will be "explanations" in the Assembly to-morrow. I am very glad to be here."

The above allusion to the heedless course of the Ministers with respect to Upper Canada requires explanation.

The inhabitants of the two Provinces, though now under one legislature, widely differ in laws, customs, and even habits of thought. Much legislation that would be good for the English or French race, would, at present assuredly, be fatal to the happiness of the other. It is of the greatest importance to both, therefore, that the United Parliament should adopt a federal principle of legislation; in which case it would make different laws for the two divisions of the province, as the Parliament of Great Britain has legislated for England and Scotland since the Union.\* Admitting this principle, and keep-

\* Perhaps a wiser application of the federal principle would be to disregard the old Provincial Divisions, and, as would be very easy by reference to an existing distinction of Parishes and Townships, divide Canada into French and English, applying to each race the mode of government most suitable and agreeable to it.

ing in mind the principle of responsible government, a capable Executive in Canada would frame its measures for each division of the province so as to please a majority of the members of Assembly representing that division. Instead of observing this rule, Mr. Baldwin and Mr. Hincks, both of them pertaining to Upper Canada, sought to carry in the Assembly measures relating exclusively to Upper Canada, and not agreeable to a majority of the Upper Canada Members, by means of the votes of French-Canadian Members. Mr. Baldwin who, as before stated, had been brought into power, not on account of his own influence in Upper Canada, but really as one of the French-Canadian party, and who was then Member for a French-Canadian county, having failed after his appointment to office in his attempts to get returned for an Upper Canada county, had the folly (I can call it by no other name) to rely on Mr. Lafontaine for carrying into effect his, Mr. Baldwin's, views of policy with respect to Upper Canada; and Mr. Lafontaine had not the wisdom to withhold the assistance which his colleague required for this purpose. The consequence was a loud outcry from the Upper Canada Members against "French domination." When it is recollected that the members of the Upper House then present were mostly from Lower Canada, and gentlemen of French origin, the jealousy and anger of the Upper Canada members of the Assembly will be fully understood. These feelings were expressed without reserve. The course of the Government in this respect appeared to me so pregnant with future danger to Lower, or rather French Canada, from its tendency to provoke English interference with French institutions, that I, representing a constituency largely composed of French-Canadians, should, on that ground alone, have ceased to support Mr. Lafontaine if he had not resigned. Nor was my opinion a solitary one among the Members from Lower Canada. So many of them saw the impolicy of their voting at all on questions relating solely to Upper Canada, that if Mr. Baldwin had not resigned, some of his favourite measures would probably have been defeated; and in that case, not only must he have resigned as having lost the support of the Assembly, but he would have been ruined and deeply mortified as a party leader.

The postscript to the foregoing Letter speaks of the ground on which the Councillors resigned as a "pretext made for the occasion;" and the correctness of the statement is rendered probable by some considerations which have yet to be stated.

Mr. Baldwin was the leading member of the Ministry. Mr. Baldwin, everybody in Upper Canada knows it, is as remarkable for a blind self-esteem in public, as for respectability of character in private life. It was impossible for him to appreciate Sir Charles Metcalfe's public character; perhaps impossible for him to avoid regarding such a Governor with jealousy and dislike. The habit too which he had acquired during Sir Charles Bagot's long and severe illness, of himself doing the part of Governor, must have had a tendency to make Sir Charles Metcalfe's assiduity in business very disagreeable to him. Mr. Lafontaine's closest friends admit that his temper is suspicious, haughty and overbearing, while even his foes give him credit for patriotism and honesty. To him, Sir Charles Metcalfe's wonderful patience must have looked like submissiveness; and perhaps the Governor's uncommunicativeness, together with his good humour under provocation, may have seemed duplicity. It may be doubted, moreover, whether Sir Charles Metcalfe's perfect candour when he does express himself, may not have passed for craft with men, whom a life in opposition to Government, and much experience of injustice and deceit from power, have rendered suspicious and fearful of being duped.

On the Governor General's side, the facts which I have stated suffice to show, that he could not have reposed much confidence in the leaders of his Council, though he appears to have behaved towards them with the strictest honour by keeping his ill opinion of them to himself so long as they were in office. The "antagonism" which he afterwards mentioned, was perhaps unavoidable.

On these grounds alone, I should have concluded that it was incompatibility of character, together with a strange forgetfulness on the part of the Councillors of what was due from them to the Queen's Representative, which produced the rupture, and not any difference of opinion on the theory of government. But many other facts support this view of the subject. The resig-

nation took place at a time when nothing but a most urgent necessity should have induced the Councillors to take a step, of which the unavoidable consequence was to put a sudden end to the session, and to deprive the country of very important and much-desired measures then nearly completed. There was no occasion at the time for any dispute between the parties ; since the written statement by the ex-Councillors of the dispute which took place, alleges no one case of inconvenience to themselves as arising from the Governor's refusal to enter into the engagement required from him. Loose verbal statements about appointments made without their advice, subsequently put forth by some of the ex-Councillors, when the Governor was wholly without the means of contradicting them, deserve no attention. On their own showing at the time of the dispute, it was a quarrel about nothing of the least practical importance : it was a difference of mere opinion as to whether the Governor ought to enter into an engagement with his Councillors with respect to the future exercise of a prerogative of the Crown. Furthermore, the engagement which they required is at variance with responsible or constitutional government, which acknowledges no popular check on any exercise of the prerogative, save one only ; namely, the resignation of Ministers whenever they please—the leaving of the Crown without advisers whenever it has done or contemplates doing some *act* for which no Ministers can be found willing to hold themselves responsible. If Sir Robert Peel came down to the House of Commons and said that he had resigned because Her Majesty differed with him in some matter of *opinion*, he would be deemed out of his mind. And finally, the means used in the Assembly to obtain a vote of confidence in Messrs. Baldwin and Lafontaine after their resignation—the tales about appointments to office told after the Ministerial “ explanations ” were concluded, and when contradiction of even such of them as are now known to be unfounded was impossible\*—the pains taken to excite a belief in the Assem-

\* These tales have been circulated here by means of letters from Mr. Hincks to the *Morning Chronicle*. Not a word about any of them is to be found in the written statements by Sir Charles Metcalfe and the ex-Councillors of the grounds of their dispute ; not a word about them was

bly that Sir Charles Metcalfe's solemn written declaration of his purpose to govern in accordance with the Resolutions of September 1841, was unworthy of credit—the urgency with which it was suggested to the Assembly that the preservation of responsible government depended on their forcing the Governor General to take the ex-Councillors back into office—and, though last not least, the diligent assertion by the very persons who were supposed to be best acquainted with Sir Charles Metcalfe, that he was a weak timid man, incapable of resisting the Assembly if they but pressed him hard;—all these things convinced me at the time, and have left me with a firm belief, that the whole dispute was got up by the Councillors as a means of saving themselves from discomfiture as party leaders. They were on bad terms with the Governor General; on such terms with the Legislative Council that it was quite doubtful whether they would be able to hold a quorum in that branch of the Legislature for another week; and on terms with the Assembly which had been growing worse for some time, and which actually threatened the defeat of some of Mr. Baldwin's favourite measures for Upper Canada. Their resignation then, on the popular ground of their deep attachment to

uttered by Mr. Baldwin in the formal "explanation" which he gave to the Assembly of the cause of his own and his colleagues' resignation. They were all told in the course of other debates, when, as is remarked in the text, it was out of Sir Charles Metcalfe's power to deny or admit their truth. One such tale, however, was contradicted in the Assembly. Mr. Hincks there led his hearers to suppose, that the appointment of a gentleman, named Stanton, to the Collectorship of Customs at Toronto, had been made by the Governor General against or without the advice of his Council. I called on the ex-Inspector-General to state distinctly that it was so. He held his tongue. But after consulting with some of his late colleagues, he told the Assembly that he had been misapprehended; for that, in fact, Mr. Stanton had been appointed on the express recommendation of the Council. It was by mere chance that in this case the truth was drawn out after a false impression had been made; but I am now satisfied, from subsequent enquiries, that all the other tales (with the exception perhaps of one relating to the appointment of a clerk, with a salary of £150 a-year, which took place long before the resignation), are as little founded in fact as the impression which Mr. Hincks made on the Assembly with respect to Mr. Stanton's appointment.



responsible government, was a clever stroke of party policy. They had a right to expect its success: for it would have succeeded with a Governor of less firmness; and they had mistaken Sir Charles Metcalfe's really astonishing patience for feebleness of will.

His goodness led him into the trap. It is evident from his subsequent messages to the Assembly that he had a very strong repugnance to an interruption of the business of the Session. Had he cared less for the Colony and more for himself, he would have begged the Councillors to retire before they resigned. He might have done so with safety on the ground of their unwise conduct in seeking to legislate for English Canada by means of a majority composed chiefly of French-Canadians; on the ground of their behaviour to himself; or even on the ground of their treatment of Mr. Daly. He chose rather to bear and forbear, than run a risk of stopping the business of the session. And then, when the unconstitutional engagement was demanded from him, instead of merely refusing to discuss the point without giving any reasons for the refusal, his candour, I suppose it was, induced him to listen and reply to a statement of Mr. Baldwin's peculiar theory of responsible government. It was by consenting to discuss the false issue, that he contributed to the prevalence of misconception with respect to the causes of the rupture.

But there is far more evil in the case than abundance of misconception on this point. Whatever may have given occasion to the dispute, the dispute itself is one which the ordinary course of responsible or constitutional government cannot settle. The demand which the Governor General has refused, is beyond the constitution—is a revolutionary demand; and if it were repeated a thousand times, Sir Charles Metcalf would refuse it as often. In this course he must be sustained by the Imperial Government and Parliament, unless England make up her mind, not only to lose Canada, but to lose it disgracefully. To govern it, after sacrificing Sir Charles Metcalfe in the right, to Messrs. Baldwin and Lafontaine in the wrong, would be impossible. The present Governor General therefore, will be sustained by the Imperial power. It follows that if Messrs. Baldwin and Lafontaine should

be supported by the Province, Canada must take the consequences of a revolutionary struggle.

Those consequences would be so fatal to the people of Canada, and especially to the French-Canadians, whose position in *English America* subjects them to dangers as a peculiar people which nothing but *British* protection can avert, that it is to be hoped the Colonists in general, and those of French origin in particular, will look before they leap into such disasters. Unfortunately, however, they cannot see plainly across the Atlantic. They are very liable to be again cruelly deceived, as they were once before, with respect to opinion in this country about Canada. Unless some pains be taken here to show them how very minute is the quantity of sympathy with Messrs. Baldwin and Lafontaine existing in the United Kingdom, they may believe the tales to the contrary which a machinery of intrigue industriously circulates in Canada. It would be easy for the leaders of parties here to furnish proof to the Colonists, that Sir Charles Metcalfe will be thoroughly supported by Great Britain. And if that should be done without delay, prevention may obviate the necessity of cure ; time may be gained for enabling the people of Canada to find out the true character of their Governor ; and then, a country which stands as much in need of good laws and improved administration as any in the world, may reap in peace the natural effects of having such a man as Sir Charles Metcalfe at the head of its constitutional government.

18th June, 1844.



## A P P E N D I X.

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### LETTER FROM MR. WAKEFIELD TO MR. GIROUARD.

*Confidential.*

Beauharnois, 20th August, 1842.

MY DEAR SIR,

THE subject of our last conversation; at St. Eustache, is so very important, and my view of it was so inadequately expressed in French—I am so afraid of being misunderstood, and so desirous of placing my opinions clearly before you—that I need scarcely make any further apology for writing to you in my own language what I said so imperfectly in yours.

There may be this further advantage in writing after speaking on the subject, that, if you should think my opinions worth attention, they may be the more easily communicated to those of your friends whose part in politics is more active and responsible than your own.

For meddling at all with matters in which I have apparently no personal interest or concern, I must offer what will be deemed a sufficient excuse. You are aware of my active, though obscure and humble, part in Lord Durham's mission and its results for Canada. Well, I come here and find that, in the manner of establishing the Union, Lord Durham's recommendations have been disregarded to the extent of adopting measures of injustice towards the Canadians, which he mentioned only to condemn; and I find, moreover, that in the working of the Union the Canadians are ill-treated in a way and to an extent that would have been as revolting to his sense of justice as they are contrary to his notions of policy. That is enough. Upon my sentiments with respect to the manner of establishing and working the Union unjustly towards the Canadians, I have acted for more than a twelve-month past, never missing an opportunity either here or in England of expressing those opinions, or of urging in the most influential quarters to which I could get access the necessity

of a change of policy towards your countrymen. In doing this, I only endeavour to pay a sort of debt towards the Canadians, which has been imposed upon me by the disregard, or the perversion, of some of Lord Durham's recommendations. Mr. Charles Buller, whose position and abilities give him far more influence than I can pretend to, thinks and acts in the same way. It is a satisfaction to know that our efforts have not been wholly fruitless.

But it yet remains for me to apologise for intruding upon you anything in the shape of suggestion or advice. I would do this by reminding you, that as a watchful observer in Upper Canada and in England, as well as in Lower Canada, of whatever may affect the condition of this country, I have had better opportunities than most men of forming a just opinion as to the probable course of events. That I am a disinterested observer also, you will perceive when I add, that I declined the offer of valuable appointments under Government, both from Lord Durham and Lord Sydenham; that circumstances exist which entirely preclude me from incurring any obligation to the Government, either in England or in this province; and that I shall certainly return home in November next, with but little prospect of ever seeing Canada again. It is on this complete personal independence, that I chiefly rest a claim to your attention.

It appears to me that in less than a month from the present time, the representatives of your countrymen in the Provincial Parliament will have a choice presented them not less important than that which the Canadian leaders made, when they refused Lord Gosford a Civil List in return for the concession of nearly all their demands, or when they virtually declined Lord Durham's proposal of a Federal Government for British North America.

The first session of the United Parliament was a non-political session. The bulk of Upper Canada Reformers would not let it be a political session. They thought that there had been for some years before enough of politics for one while, and they wanted to get as much practical good as possible out of the occasion. It was on this account, that, though they insisted at the very commencement of the session on a declaration from men in office in favour of their favourite object—responsible government—they were yet content with a bare and even reluctant concession of the mere principle: it was for this that they prevented any purely political vote by which the Government might have been broken up. They wanted municipal institutions, a law of elections, a provision for education, and the 1,500,000*l.* for debt and public improvements; and these things they got, though some of them not

in perfection most assuredly, by means of keeping *principles* in abeyance. Nor must we forget how Lord Sydenham, with his Parliamentary skill, helped to keep principles out of sight, and to make the session non-political, by yielding whenever he could no longer resist successfully, and in a manner which took away the appearance of defeat. But the case is now quite altered. The coming session cannot be one of measures, if we except the proposal of measures of amendment or repeal which would bring political principles into the most lively action. Of merely practical measures calculated to occupy the House, and hold political principles asleep, there are scarcely any to propose. With the exception of the seignioral tenure commutation, I know of none. But the House will not remain unoccupied. The Upper Canada Reformers are too restless for that. Having got all that was possible in the shape of practical measures out of the last session, they will be apt to make amends for their political lethargy then by great political activity now. Probably, too, the political grievances of the Canadians will come prominently before the house this year; partly because the Upper Canada Reformers will be more ready to listen to representations on that subject, and partly because there are now men in the House more capable of making such representations with effect. And, lastly, it appears to me inevitable, that, as things are now, the Government will not have a working majority this year, but will be subject to such a number of adverse votes from a variegated opposition as to bring the principle of responsibility into action, and necessitate some important change in the policy and composition of the Executive Council. The prospect of this last event should almost suffice for its own realization; for the supposed feebleness of a Government discourages supporters, and incites opposition from all who, however they may differ among themselves, are not satisfied with the present, and think that a break-up may give them a chance of being better pleased. I cannot help, therefore, fully expecting that there will be a good deal of confusion at the opening of this session, and then a new ranging or settlement of parties, which will determine the character of the Government for years to come. I say "years to come," because the permanent settlement of parties which ought to have taken place when the United Parliament first met, was staved off by the determination of the bulk of the Upper Canada Reformers to put political principles aside for the time. Considerations of minor weight lead to the same conclusion,—such as the change of Government in England, which may alarm the Upper Canada Reformers (though without the least cause, I believe),—the advances of the Government under Sir Charles Bagot towards the French Canadians, which, however slow and hesitating, have

alarmed the more violent of the Lower Canada British, and promise to place them in opposition; and the timidity of the Government, as shown in the absurd balancing of a Sherwood against a Hincks. May we not then safely conclude, that this session will bring about a new casting of parties, according to their respective influences in the Legislature of United Canada?

There are four parties in the Assembly—the Canadians, the Lower Canada British or Tories, the Upper Canada Reformers, and the Upper Canada Tories. Not one of these parties by itself approaches the majority. But there is one of them, which from its numbers and compactness, can give a majority in the Assembly to any other considerable party. I mean the French Canadians, who, notwithstanding the inequality of representation under the Union, have obviously got what may be termed the *casting vote in the representation of United Canada*. This would be more plain, if there were a general election now, uninfluenced by executive interference; when the number of French Canadians, and Upper Canada Tory members, would be considerably increased. Even as it is, there can, I think, be no doubt, that the French Canadian party have the power to upset a Government, when they act in conjunction with the Upper Canada Tories, and either to upset or maintain one in conjunction with the Upper Canada Reformers. This is an immense power. If judiciously exerted, this power cannot fail to obtain justice for the Canadians, notwithstanding that great act of State necessity and injustice, the forcible Union of the provinces. The immediate question is, what would be the most judicious use by the Canadians of their power of the casting vote?

The choice which they will soon have to make, is between a junction with the Upper Canada Tories, and a junction with the Upper Canada Reformers.

With respect to the former course, I have two confessions to make. In the first place, my own opinions and feelings are all engaged against a union of the Canadians with that party in Upper Canada which caused the rebellion there by its mode of governing against the wishes of the majority; and, secondly, I think that the gross and cruel injustice under which the Canadians labour would excuse them, if they could find relief in no other way, for allying themselves with their old enemies of the Family Compact, or with the Enemy of Mankind. And, further, it appears to me, that such an alliance holds out temptations to the Canadians, which it will require great manliness and sobriety of judgment to resist. It is a practicable alliance; for if the Governor-General were to adopt this project as cordially as it is entertained by some of the most able of the Upper Canada Tory leaders, a general election would give the combined parties a

working majority in the Assembly. It is for many reasons a tempting alliance for both parties ; because, first, it would lead to a Government policy exactly the reverse of that of Lord Sydenham, whose very name both parties hate ; secondly, because the new policy must be founded on a bargain between the two parties according to which each of them would have its own way in its own division of the province ; and, lastly, because this bargain would virtually almost set aside the Union, which the Upper Canada Tories dislike, as having deprived them of power, and which the French Canadians dislike still more on account of the injustice which they suffer under it. As respects the Canadians alone, this alliance would admit them to more than an equal share in the government of the only part of the province which they deem their country, and would gratify in a high degree their natural feelings of resentment. If they love power and revenge as much as we Anglo-Saxons do, they must have a keen desire for the Upper Canada Tory alliance.

But now come other considerations, which, as respects the Canadians alone, are of a very deterring kind. This alliance could not be entered into by the Canadians without throwing over Mr. Robert Baldwin, whose sacrifices for them entitle him to a very different treatment at their hands. In abandoning him they would forfeit their political honour ; and, while they have more of that to lose than any other party in this country, the loss of it would in the long run be more fatal to them, since it is to their political honour that they mainly owe their compactness as a party, and their casting vote in the representation of United Canada. But, above all, this alliance between the French Canadians and the Upper Canada Tories, would give instant occasion to an alliance between the Lower Canada British and the Reformers of Upper Canada. Can you imagine anything more formidable for the French-Canadians ? Can you doubt that this latter alliance, going as it would, for "responsible government" above, and "anglification" below, would court and find the sympathy of the Americans ? Can you suppose that the unnatural union between the French-Canadians and the Family Compact could long withstand the desperate efforts of the other combination ? And then think of the sweep of everything French Canadian that would take place, when the combined Lower Canada British and Upper Canada Reformers got into power. When that happened, after such a struggle as must precede it, the Upper Canada Tories would be no worse off than at present, but the French-Canadians would be ruined for ever. In a game to be played by the French Canadians in partnership with the Upper Canadian Tories, against the Reformers above and the British below, your coun-



trymen's share of the risk would be large out of all proportion to that of their partners' share. Nor is this the only particular in which they would make a childish bargain: the relief which they should get by an alliance with the Upper Canada Tories would be only a temporary gratification, obtained at the price of greater suffering afterwards; and such is the policy of children.

A junction with the Upper Canada Reformers is not open to any of these objections, but is recommended by every consideration of honour and prudence. The two parties might agree upon all subjects, and would form a majority of at least five-eighths in the present Assembly; perhaps six-eighths, if we reckon those who would go with any majority, and some members of the Lower Canada British party, whose first wish is that Canada should be permanently tranquillized, and who believe that permanent tranquillity is out of the question while the Canadians are deprived of all share in the government of their country. Against the wishes of six or even five-eighths of the Assembly, depend upon it that no attempt will be made to carry on the Government.

I am quite convinced that the old method of defying the majority in the representative body has been abandoned for ever. The rebellions and the Union have, at least, had this good effect. I take for granted, therefore, that the combination in question would be represented in the Executive Council. I should expect to see leading Canadians in important offices. I should consider such a combination to be a mere delusion or cheat, unless it were based, among other principles, upon that of justice for the Canadians; and I mean not merely nominal justice, which under some circumstances is compatible with real injustice, but that real practical justice which in the present case could not exist without large allowances for the peculiar language, laws, and customs of half the population of the Colony. This is the condition of a union which I imagine the Canadians to propose to the Upper Canada Reformers. The latter, on the other hand, would have their condition to propose. In proportion as they are indebted to the Union for their escape from the harsh rule of the minority in Upper Canada, so are they deeply attached to that measure. Their condition would be the working of the Union, honestly and cordially, but not so as to preclude the combined party from endeavouring, on all fit occasions, and when there was a prospect of success, to get an alteration of those parts of the Union Act which are obviously unjust and foolish.

The two conditions together would form a policy for the combined party; and that policy would be expressed in these

words—*the working of the Union with justice to the Canadians.* This party, with this policy, must have a majority in the Assembly; and I feel equally confident that it would furnish the members of the Government. In that case, of what would the Opposition consist?—of the more violent of the Lower Canada British, who are very weakly represented in the Assembly, and who would learn to subdue their anti-Canadian passions when they saw the Imperial Government and a majority of the Assembly of United Canada bent on a policy of justice and humanity towards the Canadians; and of the Upper Canada Tories, who also are very weak in the Assembly, and whose numbers would rapidly diminish when it was seen that all chance was gone of establishing the ascendancy of the minority in Upper Canada. So that to this latter scheme I attach the further valuable quality of easy practicability. It is a scheme, the execution of which would place the Imperial Government and the Governor-General equally at their ease, by giving the Governor-General a comfortable majority in the assembly, and by attaching a vast majority of the Colonists to the British connection. What is the objection to this scheme? There may be objectors without a valid objection,—objectors from motives of personal interest, of jealousy, or of a love of opposition for its own sake; but if you were to put these few together, along with the organs of the Upper Canada Tories and the violent among the Lower Canada British, they would form but a poor minority in the Assembly. This minority would be of no weight, provided the plan of a combination for the purpose of working the Union with justice for the Canadians were fully explained and resolutely pursued by the leaders of the two parties who would be allies in that cause. This minority might be despised, if the leaders of the majority had energy and courage enough.

In talking over this matter with another who has had good experience of Provincial politics, it was suggested by him, that the French Canadians might avoid an alliance with any party for the purpose of sharing in the Government, and might just remain in the state of dogged opposition to every thing into which they were forced last session by the course of the Upper Canada Reformers; voting now with the Reformers and then with the Tories, or even occasionally with the British, but always against the Government, which would be like a shuttlecock tossed about among the parties. I answered, No; that is, No as to the shuttlecock, if it were Yes as to the folly of the Canadians. For in that case, inasmuch as under the Union every Governor must get a majority somehow, the present Governor-General would be driven to the necessity of interpreting "Responsible Government" into the purchase of more

than half the assembly, and would very likely find more than half the assembly ready to adopt that interpretation: for corruption begets corruption. . But what a prospect for the Canadians and for the country! But has not the plan of buying for a majority been carried too far already? For my part, though I can see that in the case supposed, the Governor could hardly be blamed for getting his majority any how, and though I can conceive that the plan of buying for a majority might be worked successfully for some time longer, yet I do believe that public opinion in the Province is growing sick of that demoralizing and debasing method of government, and that its days are numbered. If it lasted only for another session, the evil would be great enough. Surely the Canadian leaders will not help to preserve it, by refusing, under all circumstances, to co-operate with any party with a view to office. I repeat that the Governor-General must try to get a majority by one means or other: who would like to bear the responsibility of compelling his reluctant resort to the worst of all means?

Recurring to the scheme of a union between the Canadians and the Upper Canada Reformers, with a view to office for the leaders of both parties, it becomes a question whether this should be attempted before or after the opening of the session. My own opinion inclines altogether to the earlier step. I am afraid, that if Parliament should meet without some understanding between these parties and with the Governor-General, questions may arise, and votes be given; that may prevent such an understanding thereafter. Considering in what mood the Assembly will meet without such an understanding, it would be difficult for most members to avoid committing themselves by taking some line; it is more than probable that an immediate fresh casting of parties would be unavoidable. Besides, the Governor-General cannot afford to wait for what might turn up from out of the chapter of accidents; he is bound to try hard for a majority before the time should come when he would perhaps be unable to get one; and he might, therefore, in the absence of the supposed understanding, be driven to the buying process. The circumstance which most recommends the plan of acting without delay, is the Governor-General's freedom from pledges or any sort of committal, which cannot well last beyond the day of opening the session. I understand, of course, that it would be necessary for the Canadian leaders to hold some communication with his Excellency, and with the leaders of the Upper Canada Reformers; but this surely would not be difficult, considering that not a few members of the Council possess the confidence of a majority of the Upper Canada Reformers, and would enjoy the confidence of the whole of them, if engaged in preparing for

a Government whose policy was to be justice for the Canadians, along with a working of the Union. If your friends can make up their minds to go for office on the condition named, the sooner they begin to act the better.

I will not conclude without one remark by way of precaution. Let it not be supposed, that I would recommend the Canadian leaders to trust any body blindly, or to remit any portion of their attention to the work of sustaining the strength of their party in the Assembly. On the contrary, I am sure that they ought, even while negotiating with the Upper Canada Reformers and with the Government, to guard carefully against any possible misunderstanding afterwards; to insist on real justice for their people, and if possible to strengthen their own hands in the Assembly. In no case, nor for a moment, should they consent to weaken their power of the casting vote. A wise exercise of that power is the true policy of the Canadians. May they always bear in mind, that no small part of the essence of the power of the casting vote consists of wisdom in the application!

Believe me to remain,

My Dear Sir,

Yours faithfully and sincerely,

(Signed) E. G. WAKEFIELD.

P.S.—In marking this letter confidential, I have been desirous of guarding it from publication. It is intended for equally confidential communication to any of your friends.

J. J. Girouard, Esq.

London .  
Printed by STEWART and MURRAY,  
Old Bailey.

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Press

A FRAGMENT

ON THE

IRISH ROMAN CATHOLIC  
CHURCH.

BY THE LATE

REV. SYDNEY SMITH.

LONDON:

PRINTED FOR

LONGMAN, BROWN, GREEN, AND LONGMANS,  
PATERNOSTER-ROW.

1845.

LONDON :  
Printed by A. SPOTTISWOOD &,  
New-Street-Square.

## P R E F A C E.

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THE following unrevised fragment, found among the papers of the late Rev. Sydney Smith, if it serve no other purpose, will at least prove that his *last*, as well as his earliest efforts, were exerted for the promotion of religious freedom, and may satisfy those who have objected to his later writings, because his own interest appeared to be bound up with his opinions, that he did not hesitate to the last moment of his life, boldly to advocate what he considered to be justice to others.

April, 1845.





*Private Memoranda of Subjects intended to have been  
introduced in the Pamphlet, &c.*

Debates in the House of Commons in 1825, on the motion  
of Lord F. Egerton, for the support of the Roman Ca-  
tholic clergy. Printed separately, I believe, in Ireland.  
Evidence before the House of Commons in 1824 and 1825,  
including Doyle's.

A Speech of Charles Grant's in 1819, on a motion of James  
Daly to enforce the Insurrection Act.

Debates on Maynooth, in February last (1844).

Hard case of the priest's first year.

Provision offered by Pitt and Castlereagh, and accepted by  
the hierarchy.

\*Send ambassadors to Constantinople, and refuse to send  
them to Rome.

England should cast off its connexion with the Irish Church.  
Lord F. Egerton's plan for paying the Roman Catholic  
clergy in 1825. The prelates agreed to take the money.

\*Old mode of governing by Protestants at an end.

\*Vast improvements since the Union, and fully specified in  
Martin, page 35.

\*Priests dare not thwart the people for fear of losing money.

\*Dreadful oppression of the people.

\*Bishops dare not enforce their rules. They must have  
money.

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\* These subjects are treated of in the Fragment.



# A FRAGMENT

ON

## THE IRISH ROMAN CATHOLIC CHURCH.

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THE revenue of the Irish Roman Catholic Church is made up of half-pence, potatoes, rags, bones, and fragments of old clothes, and those Irish old clothes. They worship often in hovels, or in the open air, from the *want* of any place of worship. Their religion is the religion of three-fourths of the population! Not far off, in a well-windowed and well-roofed house, is a well-paid Protestant clergyman, preaching to stools and hassocks, and crying in the wilderness; near him the clerk, near him the sexton, near him the sexton's wife — furious against the errors of Popery, and willing to lay down their lives for the great truths established at the Diet of Augsburg.

There is a story in the Leinster family which passes under the name of

*“ She is not well.”*

A Protestant clergyman, whose church was in the neighbourhood, was a guest at the house of

that upright and excellent man the Duke of Leinster. He had been staying there three or four days; and on Saturday night, as they were all retiring to their rooms, the Duke said, "We shall meet to-morrow at breakfast." — "Not so (said our Milesian Protestant); your hour, my lord, is a little too late for me; I am very particular in the discharge of my duty, and your breakfast will interfere with my church." The Duke was pleased with the very proper excuses of his guest, and they separated for the night; — his Grace perhaps deeming his palace more safe from all the evils of life for containing in its bosom such an exemplary son of the Church. The first person, however, whom the Duke saw in the morning upon entering the breakfast-room was our punctual Protestant, deep in rolls and butter, his finger in an egg, and a large slice of the best Tipperary ham secured on his plate. "Delighted to see you, my dear vicar," said the Duke; "but I must say as much surprised as delighted." — "Oh, don't you know what has happened?" said the sacred breakfaster, — "*she is not well.*" — "Who is not well?" said the Duke: "you are not married — you have no sister living — I'm quite uneasy; tell me who is not well." "Why the fact is, my lord Duke, that my congregation consists of the clerk, the sexton, and the sexton's wife. Now the sexton's wife is in very delicate health: when she cannot attend,

we cannot muster the number mentioned in the rubric ; and we have, therefore, no service on that day. The good woman had a cold and sore throat this morning, and, as I had breakfasted but slightly, I thought I might as well hurry back to the regular family dejeuner." I don't know that the clergyman behaved improperly ; but such a church is hardly worth an insurrection and civil war every ten years.

Sir Robert did well in fighting it out with O'Connell. He was too late ; but when he began he did it boldly and sensibly, and I, for one, am heartily glad O'Connell has been found guilty and imprisoned. He was either in earnest about Repeal or he was not. If he *was* in earnest, I entirely agree with Lord Grey and Lord Spencer, that civil war is preferable to Repeal. Much as I hate wounds, dangers, privations, and explosions — much as I love regular hours of dinner — foolish as I think men covered with the feathers of the male *Pullus domesticus*, and covered with lace in the course of the ischiatic nerve — much as I detest all these follies and ferocities, I would rather turn soldier myself than acquiesce quietly in such a separation of the Empire.

It is *such* a piece of nonsense, that no man can have any reverence for himself who would stop to discuss such a question. It is such a piece of anti-British villany, that none but the bitterest enemy of our blood and people could entertain

such a project ! It is to be met only with round and grape — to be answered by Shrapnel and Congreve ; to be discussed in hollow squares, and refuted by battalions four deep ; to be put down by the *ultima ratio* of that armed Aristotle the Duke of Wellington.

O'Connell is released ; and released I have no doubt by the conscientious decision of the Law Lords. If he was unjustly (even from some technical defect) imprisoned, I rejoice in his liberation. England is, I believe, the *only* country in the world, where such an event *could* have happened, and a wise Irishman (if there be a wise Irishman) should be slow in separating from a country whose spirit can produce, and whose institutions can admit, of such a result. Of his guilt no one doubts, but guilty men must be hung technically and according to established rules ; upon a statutable gibbet, with parliament rope, and a legal hangman, sheriff, and chaplain on the scaffold, and the mob in the foreground.

But, after all, I have no desire my dear Daniel should come to any harm, for I believe there is a great deal of virtue and excellent meaning in him, and I must now beg a few minutes conversation with him. “ After all, my dear Daniel, what is it you want ? — a separation of the two countries ? — for what purpose ? — for your own aggrandisement ? — for the gratification of your

personal vanity ? You don't know yourself ; you are much too honourable and moral a man, and too clear-sighted a person for such a business<sup>a</sup> as this : the empire will be twisted out of your hands by a set of cut-throat villains, and you will die secretly by a poisoned potato, or be pistoled in the streets. You have too much sense and taste and openness to endure for a session the stupid and audacious wickedness and nonsense of your associates. If you want fame, you must be insatiable ! Who is so much known in all Europe, or so much admired by honest men for the *real* good you had done to your country, before this insane cry of Repeal ? And don't imagine you can intimidate this Government ; whatever be their faults or merits, you may take my word for it, you will *not* intimidate them. They will prosecute you again, and put down your Clontarf meetings, and they will be quite right in doing so. They may make concessions, and I think they will ; but they would fall into utter contempt if they allowed themselves to be terrified into a dissolution of the Union. They know full well that the English nation are unanimous and resolute upon this point, and that they would prefer war to a Repeal. And now, dear Daniel, sit down quietly at Derrynane, and tell me, when the bodily frame is refreshed with the wine of Bordeaux, whether all this is worth



while. What is the object of all government ? The object of all government is roast mutton, potatoes, claret, a stout constable, an honest justice, a clear highway, a free chapel. What trash to be bawling in the streets about the Green Isle, the Isle of the Ocean ! the bold anthem of *Erin go bragh !* A far better anthem would be Erin go bread and cheese, Erin go cabins that will keep out the rain, Erin go pantaloons without holes in them ! What folly to be making eternal declamations about governing yourselves ! If laws are good and well administered, is it worth while to rush into war and rebellion in order that no better laws may be made in another place ? Are you an Eton boy who has just come out, full of Plutarch's Lives, and considering in every case how Epaminondas or Philopœmen would have acted, or are you our own dear Daniel, drilled in all the business and bustle of life ? I am with you heart and soul in my detestation of all injustice done to Ireland. Your priests shall be fed and paid, the liberties of your Church be scrupulously guarded, and in civil affairs the most even justice be preserved between Catholic and Protestant. Thus far I am a thorough rebel as well as yourself ; but when you come to the perilous nonsense of *Repeal*, in common with every honest man who has five grains of common sense, I take my leave."

It is entertaining enough, that although the Irish are beginning to be so clamorous about making their own laws, that the wisest and the best statutes in the books have been made since their union with England. All Catholic disabilities have been abolished; a good police has been established all over the kingdom; public courts of petty sessions have been instituted; free trade between Great Britain and Ireland has been completely carried into effect; lord lieutenants are placed in every county; church rates are taken off Catholic shoulders; the County Grand Jury Rooms are flung open to the public; county surveyors are of great service; a noble provision is made for educating the people. I never saw a man who had returned to Ireland after four or five years' absence, who did not say how much it had improved, and how fast it was improving: and this is the country which is to be Erin-go-bragh'd by this shallow, vain, and irritable people into bloodshed and rebellion!

The first thing to be done is to pay the priests, and after a little time they will take the money. One man wants to repair his cottage; another wants a buggy; a third cannot shut his eyes to the dilapidations of a cassock. The draft is payable at sight in Dublin, or by agents in the next market town dependent upon the Commission in Dublin. The housekeeper of the holy man is importunate for money, and if it is not procured

by drawing for the salary, it must be extorted by curses and cominations from the ragged worshippers, slowly, sorrowfully, and sadly. There will be some opposition at first, but the facility of getting the salary without the violence they are now forced to use, and the difficulties to which they are exposed in procuring the payment of those emoluments to which they are fairly entitled, will, in the end, overcome all obstacles. And if it does not succeed, what harm is done by the attempt? It evinces on the part of this country the strongest disposition to do what is just, and to apply the best remedy to the greatest evil; but the very attempt would do good, and would be felt in the great Catholic insurrection, come when it will. All rebellions and disaffections are general and terrible in proportion as one party has suffered, and the other inflicted; —any great measure of conciliation, proposed in the spirit of kindness, is remembered, and renders war less terrible, and opens avenues to peace.

The Roman Catholic priest could not refuse to draw his salary from the State without incurring the indignation of his flock. “Why are you to come upon us for all this money, when you can ride over to Sligo or Belfast, and draw a draft upon Government for the amount?” It is not easy to give a satisfactory answer to this, to a shrewd man who is starving to death.

Of course, in talking of a government payment to the Catholic priest, I mean it should be done with the utmost fairness and good faith ; no attempt to gain patronage, or to make use of the Pope as a stalking-horse for playing tricks. Leave the patronage exactly as you find it ; and take the greatest possible care that the Catholic clergy have no reason to suspect you in this particular ; do it like gentlemen, without shuffling and prevarication, or leave it alone altogether.

The most important step in improvement which mankind ever made was the secession from the see of Rome, and the establishment of the Protestant religion ; but though I have the sincerest admiration of the Protestant faith, I have no admiration of Protestant hassocks on which there are no knees, nor of seats on which there is no superincumbent Protestant pressure, nor of whole acres of tenantless Protestant pews, in which no human being of the 500 sects of Christians is ever seen. I have no passion for sacred emptiness, or pious vacuity. The emoluments of those livings in which there are few or no Protestants ought, after the death of the present incumbents, to be appropriated in part to the uses of the predominant religion, or some arrangements made for superseding such utterly useless ministers immediately, securing to them the emoluments they possess.

Can any honest man say, that in parishes (as

is the case frequently in Ireland) containing 3000 or 4000 Catholics and 40 or 50 Protestants, there is the smallest chance of the majority being converted? Are not the Catholics (except in the North of Ireland, where the great mass are Presbyterians) gaining every where on the Protestants? The tithes were originally possessed by the Catholic Church of Ireland. Not one shilling of them is now devoted to that purpose. An immense majority of the common people are Catholics; they see a church richly supported by the spoils of their own church establishments, in whose tenets not one tenth part of the people believe. Is it possible to believe this can endure? — that a light, irritable, priest-ridden people will not, under such circumstances, always remain at the very eve of rebellion, always ready to explode when the finger of Daniel touches the hair trigger? — for Daniel, be it said, though he hates shedding blood in small quantities, has no objection to provoking kindred nations to war. He very properly objects to killing or being killed by Lord Alvanley; but would urge on ten thousand Pats in civil combat against ten thousand Bulls. His objections are to small homicides; and his vow that he has registered in Heaven is only against retail destruction and murder by piecemeal. He does not like to teaze Satan by driblets; but to earn eternal torments by persuading eight million Irish and twelve million

Britons no longer to buy and sell oats and salt meat, but to butcher each other in God's name to extermination. And what if Daniel dies,—of what use his death? Does Daniel make the occasion, or does the occasion make Daniel?—Daniels are made by the bigotry and insolence of England to Ireland; and till the monstrous abuses of the Protestant Church in that country are rectified, there will always *be* Daniels, and they will always come out of their dens more powerful and more popular than when you cast them in.

I do not mean by this unjustly and cowardly to run down O'Connell. He has been of eminent service to his country in the question of Catholic Emancipation, and I am by no means satisfied that with the gratification of vanity there are not mingled genuine feelings of patriotism and a deep sense of the injustice done to his country. His first success, however, flung him off his guard; and perhaps he trusted too much in the timidity of the present Government, who are by no means composed of irresolute or weak men.

If I thought Ireland quite safe, I should still object to injustice. I could never endure in silence that the Catholic Church of Ireland should be left in its present state; but I am afraid France and England can now afford to fight: and having saved a little money, they will, of course, spend it in fighting. That puppy of the waves, young

Joinville, will steam over in a high-pressure fleet ! — and then comes an immense twenty per cent. income-tax war, an universal insurrection in Ireland, and a crisis of misery and distress, in which life will hardly be worth having. The struggle *may* end in our favour, but it may *not* ; and the object of political wisdom is to avoid these struggles. I want to see jolly Roman Catholic priests secure of their income without any motive for sedition or turbulence. I want to see Patricks at the loom ; cotton and silk factories springing up in the bogs ; Ireland a rich, happy, quiet country ! — scribbling, carding, cleaning, and making calico, as if mankind had only a few days more allotted to them for making clothes, and were ever after to remain stark naked.

Remember that between your impending and your past wars with Ireland, there is this remarkable difference. You have given up your Protestant auxiliaries ; the Protestants enjoyed in former disputes all the patronage of Ireland ; they fought not only from religious hatred, but to preserve their monopoly ; — that monopoly is gone ; you have been candid and just for thirty years, and have lost those friends whose swords were always ready to defend the partiality of the Government and to stifle the cry of justice. The next war will not be between Catholic and Protestant, but between Ireland and England.

I have some belief in Sir Robert. He is a man

of great understanding, and *must* see that this eternal O'Connelling will never do, that it is impossible it can last. We are in a transition state, and the Tories may be assured that the Baronet will not go too fast. If Peel tells them that the thing must be done, they may be sure it is high time to do it;—they may retreat mournfully and sullenly before common justice and common sense, but retreat they *must* when Tamworth gives the word, — and in quick-step too, and without loss of time.

And let me beg of my dear Ultras not to imagine that they survive for a single instant without Sir Robert—that they could form an Ultra-tory Administration. Is there a Chartist in Great Britain who would not, upon the first intimation of such an attempt, order a new suit of clothes, and call upon the baker and milkman for an extended credit? Is there a political reasoner who would not come out of his hole with a new constitution? Is there one ravenous rogue who would not be looking for his prey? Is there one honest man of common sense who does not see that universal disaffection and civil war would follow from the blind fury, the childish prejudices and the deep ignorance of such a sect? I have a high opinion of Sir Robert Peel, but he must summon up all his political courage, and do something next session for the payment of the Roman Catholic priests. He must run some risk of shocking public opinion;



no greater risk, however, than he did in Catholic Emancipation. I am sure the Whigs would be true to him, and I think I observe that very many obtuse country gentlemen are alarmed by the state of Ireland and the hostility of France and America.

Give what you please to the Catholic priests, habits are not broken in a day. There must be time as well as justice, but in the end these things have their effect. A buggy, a house, some fields near it, a decent income paid quarterly; in the long run these are the cures of sedition and disaffection; men don't quit the common business of life and join bitter political parties unless they have something justly to complain of.

But where is the money—about 400,000*l.* per annum—to come from? Out of the pockets of that best of men Mr. Thomas Grenville, out of the pockets of the Bishops, of Sir Robert Inglis, and all other men who pay all other taxes; and never will public money be so well and wisely employed!

It turns out that there is no law to prevent entering into diplomatic engagements with the Pope. The sooner we become acquainted with a gentleman who has so much to say to eight millions of our subjects the better! Can anything be so childish and absurd as a horror of communicating with the Pope, and all the hobgoblins we have imagined of premunires and outlawries for this contraband trade in piety? Our an-

cestors (strange to say wiser than ourselves) have left us to do as we please, and the sooner Government do, what they *can* do legally, the better. A thousand opportunities of doing good in Irish affairs have been lost, from our having no avowed and dignified agent at the Court of Rome. If it depended upon me, I would send the Duke of Devonshire there to-morrow, with nine chaplains and several tons of Protestant theology. I have no love of popery, but the Pope is at all events better than the idol of Juggernaut, whose chaplains I believe we pay, and whose chariot I dare say is made in Long Acre. We pay 10,000*l.* a year to our ambassador at Constantinople, and are startled with the idea of communicating diplomatically with Rome, deeming the Sultan a better Christian than the Pope!

The mode of exacting clerical dues in Ireland is quite arbitrary and capricious. Uniformity is out of the question; every thing depends on the disposition and temper of the clergyman. There are salutary regulations put forth in each diocese respecting church dues and church discipline, and put forth by episcopal and synodical authority. Specific sums are laid down for mass, marriage, and the administration of the Eucharist. These authorised payments are moderate enough, but every priest, in spite of these rules, makes the most he can of his ministry, and the *strangest* discrepancy prevails, even in

the same diocese, in the demands made upon the people. The priest and his flock are continually coming into collision on pecuniary matters. Twice a year the holy man collects confession money under the denomination of Christmas and Easter offerings. He selects in every neighbourhood one or two houses in which he holds stations of confession. Very disagreeable scenes take place when additional money is demanded, or when additional time for payment is craved. The first thing done when there is a question of marrying a couple is, to make a *bargain* about the marriage money. The wary minister watches the palpitations, puts on a shilling for every sigh, and two-pence on every tear, and maddens the impetuosity of the young lovers up to a pound sterling. The remuneration prescribed by the diocesan statutes, is never thought of for a moment; the priest makes as hard a bargain as he can, and the bed the poor peasants are to lie upon is sold, to make their concubinage lawful;—but every one present at the marriage is to contribute;—the minister, after begging and intreating some time to little purpose, gets into a violent rage, abuses and is abused;—and in this way is celebrated one of the sacraments of the Catholic Church!—The same scenes of altercation and abuse take place when gossip money is refused at baptisms; but the most painful scenes take place at extreme unction, a ceremony to

which the common people in Ireland attach the utmost importance. “Pay me beforehand—this is not enough—I insist upon more, I know you can afford it, I insist upon a larger fee!”—and all this before the dying man, who feels he has not an hour to live! and believes that salvation depends upon the timely application of this sacred grease.

Other bad consequences arise out of the present system of Irish Church support. Many of the clergy are constantly endeavouring to overreach and undermine one another. Every man looks to his own private emolument, regardless of all covenants, expressed or implied. The curate does not make a fair return to the parish priest, nor the parish priest to the curate. There is an universal scramble!—every one gets what he can, and seems to think he would be almost justified in appropriating the whole to himself. And how can all this be otherwise? How are the poor wretched clergy to live but by setting a high price on their theological labours, and using every incentive of fear and superstition to extort from six millions of beggars the little payments wanted for the bodies of the poor, and the support of life! I maintain that it is shocking and wicked to leave the religious guides of six millions of people in such a state of destitution!—to bestow no more thought upon them than upon the clergy of the Sandwich Islands! If I

were a member of the Cabinet, and met my colleagues once a week, to eat birds and beasts, and to talk over the state of the world, I should begin upon Ireland before the soup was finished, go on through fish, turkey, and saddle of mutton, and never end till the last thimbleful of claret had passed down the throat of the incredulous Haddington: but there they sit, week after week; there they come, week after week; the Piccadilly Mars, the Scotch Neptune, Themis Lyndhurst, the Tamworth Baronet, dear Goody, and dearer Gladdy, and think no more of paying the Catholic clergy, than a man of real fashion does of paying his tailor! And there is no excuse for this in fanaticism. There is only one man in the Cabinet who objects from reasons purely fanatical, because the Pope is the Scarlet Lady, or the Seventh Vial, or the Little Horn. All the rest are entirely of opinion that it *ought* to be done — that it is the one thing needful; but they are afraid of bishops, and county meetings, newspapers, and pamphlets, and reviews; all fair enough objects of apprehension, but they must be met, and encountered, and put down. It is impossible that the subject can be much longer avoided, and that every year is to produce a deadly struggle with the people, and a long trial in time of peace with O' somebody, the patriot for the time being, or the general, perhaps, in time of a foreign war.

If I were a Bishop, living beautifully in a state of serene plenitude, I don't think I could endure the thought of so many honest, pious, and laborious clergymen of another faith, placed in such disgraceful circumstances! I could not get into my carriage with jelly-springs, or see my two courses every day, without remembering the buggy and the bacon of some poor old Catholic Bishop, ten times as laborious, and with much more, perhaps, of theological learning than myself, often distressed for a few pounds! and burthened with duties utterly disproportioned to his age and strength. I think, if the extreme comfort of my own condition did not extinguish all feeling for others, I should sharply commiserate such a Church, and attempt with ardour and perseverance to apply the proper remedy. Now let us bring names and well-known scenes before the English reader, to give him a clearer notion of what passes in Catholic Ireland. The living of St. George's, Hanover Square, is a benefice of about 1500*l.* per annum, and a good house. It is in the possession of Dr. Hodgson, who is also Dean of Carlisle, worth, I believe, about 1500*l.* more. A more comfortable existence can hardly be conceived. Dr. Hodgson is a very worthy, amiable man, and I am very glad he is as rich as he is: but suppose he had no revenues but what he got off his own bat,—suppose that instead of tumbling through the skylight, as his

income now does, it was procured by Catholic methods. The Doctor tells Mr. Thompson he will not marry him to Miss Simpson under 30*l.*; Thompson demurs, and endeavours to beat him down. The Doctor sees Miss Simpson; finds her very pretty; thinks Thompson hasty, and after a long and undignified negotiation, the Doctor gets his fee. Soon after this he receives a message from Place, the tailor, to come and anoint him with extreme unction. He repairs to the bed-side, and tells Mr. Place that he will not touch him under a suit of clothes, equal to 10*l.*: the family resist, the altercation goes on before the perishing artizan, the price is reduced to 8*l.*, and Mr. Place is oiled. On the ensuing Sunday the child of Lord B. is to be christened: the godfathers and godmothers will only give a sovereign each; the Doctor refuses to do it for the money, and the church is a scene of clamour and confusion. These are the scenes which, under similar circumstances, *would* take place here, for the congregation want the comforts of religion without fees, and will cheat the clergyman if they can; and the clergyman who means to live, must meet all these artifices with stern resistance. And this is the wretched state of the Irish ~~Roman~~ Catholic clergy!—a miserable blot and stain on the English nation! What a blessing to this country would a real Bishop be! A man who thought it the first duty of Christianity

to allay the bad passions of mankind, and to reconcile contending sects with each other. What peace and happiness such a man as the Bishop of London might have conferred on the Empire, if, instead of changing black dresses for white dresses, and administering to the frivolous disputes of foolish zealots, he had laboured to abate the hatred of Protestants for the Roman Catholics, and had dedicated his powerful understanding to promote religious peace in the two countries. Scarcely any bishop is sufficiently a man of the world to deal with fanatics. The way is not to reason with them, but to ask them to dinner. They are armed against logic and remonstrance, but they are puzzled in a labyrinth of wines, disarmed by facilities and concessions, introduced to a new world, come away thinking more of hot and cold, and dry and sweet, than of Newman, Keble, and Pusey. So mouldered away Hannibal's army at Capua! So the primitive and perpendicular prig of Puseyism is softened into practical wisdom, and coaxed into common sense! Providence gives us Generals, and Admirals, and Chancellors of the Exchequer; but I never remember in my time a real Bishop, — a grave elderly man, full of Greek, with sound views of the middle voice and preterperfect tense, gentle and kind to his poor clergy, of powerful and commanding eloquence; in Parliament never to be put down when the great interests of man-



kind were concerned ; leaning to the Government when *it* was right, leaning to the People when *they* were right ; feeling that if the Spirit of God had called him to that high office, he was called for no mean purpose, but rather that, seeing clearly, and acting boldly, and intending purely, he might confer lasting benefits upon mankind.

We consider the Irish clergy as factious, and as encouraging the bad anti-British spirit of the people. How can it be otherwise ? They live by the people ; they have nothing to live upon but the voluntary oblations of the people ; and they must fall into the same spirit as the people, or they would be starved to death. No marriage ; no mortuary masses ; no unctions to the priest who preached against O'Connell !

Give the clergy a maintenance separate from the will of the people, and you will then enable them to oppose the folly and madness of the people. The objection to the State provision does not really come from the clergy, but from the agitators and repealers : these men see the immense advantage of carrying the clergy with them in their agitation, and of giving the sanction of religion to political hatred ; they know that the clergy, moving in the same direction with the people, have an immense influence over them ; and they are very wisely afraid, not only of losing this co-operating power, but of seeing

it, by a state provision, arrayed against them. I am fully convinced that a state payment to the Catholic clergy, by leaving to that laborious and useful body of men the exercise of their free judgment, would be the severest blow that Irish agitation could receive.

For advancing these opinions, I have no doubt I shall be assailed by Sacerdos, Vindex, Latimer, Vates, Clericus, Aruspex, and be called atheist, deist, democrat, smuggler, poacher, highwayman Unitarian, and Edinburgh reviewer! Still, *I am in the right*,—and what I say, requires excuse for being trite and obvious, not for being mischievous and paradoxical. I write for three reasons ; first, because I really wish to do good ; secondly, because if I don't write, I know nobody else will ; and thirdly, because it is the nature of the animal to write, and I cannot help it. Still, in looking back I see no reason to repent. What I have said *ought* to be done, generally *has* been done, but always twenty or thirty years too late ; done, not of course because I have said it, but because it was no longer *possible* to avoid doing it. Human beings cling to their delicious tyrannies, and to their exquisite nonsense, like a drunkard to his bottle, and go on till death stares them in the face. The monstrous state of the Catholic church in Ireland will probably remain till some monstrous ruin

threatens the very existence of the Empire, and Lambeth and Fulham are cursed by the affrighted people.

I have always compared the Protestant church in Ireland (and I believe my friend Thomas Moore stole the simile from me) to the institution of butchers' shops in all the villages of our Indian empire. "We *will* have a butcher's shop in every village, and you, Hindoos, shall pay for it. We know that many of you do not eat meat at all, and that the sight of beef steaks is particularly offensive to you; but still, a stray European may pass through your village, and want a steak or a chop: the shop *shall* be established; and you shall pay for it." This is English legislation for Ireland!! There is no abuse like it in all Europe, in all Asia, in all the discovered parts of Africa, and in all we have heard of Timbuctoo! It is an error that requires 20,000 armed men for its protection in time of peace; which costs more than a million a year; and which, in the first French war, in spite of the puffing and panting of fighting steamers, will and *must* break out into desperate rebellion.

It is commonly said, if the Roman Catholic priests are paid by the State, they will lose their influence over their flocks; — not their *fair* influence — not that influence which any wise and

good man would wish to see in all religions — not the dependence of humble ignorance upon prudence and piety — only fellowship in faction, and fraternity in rebellion ; — all *that* will be lost. A peep-of-day clergyman will no longer preach to a peep-of-day congregation — a White-boy vicar will no longer lead the psalm to White-boy vocalists ; but every thing that is good and wholesome will remain. This, however, is not what the anti-British faction want ; they want all the animation which piety can breathe into sedition, and all the fury which the priesthood can preach to diversity of faith : and *this* is what they mean by a clergy losing their influence over the people ! The less a clergyman exacts of his people, the more his payments are kept out of sight, the less will be the friction with which he exercises the functions of his office. A poor Catholic may respect a priest the more who marries, baptizes, and anoints ; but he respects him because he associates with his name and character the performance of sacred duties, not because he exacts heavy fees for doing so. Double fees would be a very doubtful cure for scepticism ; and though we have often seen the tenth of the earth's produce carted away for the benefit of the clergyman, we do not remember any very lively marks of satisfaction and delight which it produced in the countenance of the decimated

person. I am thoroughly convinced that State payments to the Catholic clergy would remove a thousand causes of hatred between the priest and his flock, and would be as favourable to the increase of his useful authority, as it would be fatal to his factious influence over the people.

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# I R E L A N D.

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AND DISTINGUISH A NATION

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KEENE, COLLEGE-GREEN, DUBLIN.



## NOTICE.

ABOUT Christmas next, or as soon as the discussion of the federal question is ripe for details, I will, with some Irishmen who wish to raise their country, show how simply and easily, upon the ground of common sense, could be arranged (1), A BRITISH PARLIAMENT of Lords and Commons for the internal affairs of Great Britain, (which, by the bye, would then be much better managed than at present); (2), AN IRISH PARLIAMENT of Lords and Commons for the internal affairs of Ireland; (3), AN IMPERIAL PARLIAMENT OR COUNCIL, of so many Irish and British Peers for its upper house; so many Irish and British members of the house of commons for its lower house, (not more than 100 in all), for all the foreign and colonial affairs OF THE LIBERNO-BRITISH EMPIRE, of the common colonies and conquests of Great Britain and Ireland. The Prime Minister would sit in the imperial Parliament, whose members, chosen by Lords and Commons in the Irish and British parliaments, would thus always be in unison with their majority. Thus the particular interests of Great Britain and of Ireland would be well attended to, and could develop themselves freely at home; also the general interests of the whole empire; while the whole system would work in loyal harmony under the sovereign of Great Britain and of Ireland.





## PREFACE.

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AUDI ALTERAM PARTEM

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IN order to prevent any misconception of my views, I must say at once, that I always wish and hope to see *the most friendly union between the people of Great Britain and of Ireland*, just as between any two of the United States of North America, each sovereign over its own land ; I look upon free trade, as it does now, and I hope always will exist between these two islands to the great advantage of both, as the best, the strongest, and, day after day, the most useful bond of peace, and fruit of union. Where free trade exists between any two nations, I think the great, the just end of union has been already obtained, and that all further union can only be some source of continual loss of the one, to the continual gain of the other side.

We must receive the opinions of English statesmen, even of just and able men like Sir Robert Peel, with much cautious allowance upon questions between Great Britain and Ireland. It is the character, nay, the positive duty, of Englishmen to look in every political question first to the interests of their own country. Now, there is no doubt that the Union of 1801 has been, and is of great advantage to England, at the expense of Ireland. We are not likely often to see a minister so powerful

as Sir Robert Peel, so well able to carry out his views with a large majority in both houses of parliament; who will so much possess the *friendly confidence* (so necessary to the success of any political measure) of the peerage, of the country-gentlemen, of the clergy, of the men of money and business, in trade, commerce, and manufactures, in short, of all the respectable classes in the three kingdoms; nor a minister with a better head to conceive just and great political plans, and who will bring them forward with more skill, fairness, and caution; in short, Sir Robert Peel has several great advantages in his favour, to govern Ireland under the Union of 1801, which are not likely to meet again in his successors; yet, I ask the question at the close of this long session of parliament, and I beg you to turn your eyes to Ireland, to that poverty-ridden, absentee-drained country, does the Union work well for Ireland?

I think we (in Ireland) approach a time *when peace will be worse to us than war*; that the more quiet grows the country, the stronger the government, the more easily will the landlords draw away their rents to live elsewhere.

Our social institutions are feudal (a peerage, primogeniture, &c.) the natural basis of a splendid monarchical government, which, with all its appendages, flourishes elsewhere; in this case, our great landlords are only so many sponges to draw up and away, year after year, the fruits of our lands; and when the country, in itself as rich as any in the world, comes to require capital for great public enterprises, as railways, it must be sought for elsewhere. Thus I do not see, while man is man, how Ireland, under the Union, ever can become a prosperous country; because our social institutions do not, like the French, the American, the Norwegian, keep land and money in small masses, *i. e.*, in the country, in the provincial towns, &c.; nor our poli-

tical institutions, like the English, the Austrian, the Bavarian, the Swedish, &c., our first men of skill, genius, wealth, rank, &c., *at home, about their own court, in their own country.*

If our Henry the Sixth could have kept possession of France, won by his father, the court of England and France would have been held in Paris, and England would then have suffered as much from absenteeism, &c., &c., as Ireland: French philosophical statesmen would then have dwelt upon the great advantages of civilization, of the union of England with a more civilized country, of the access of young Englishmen to the French universities; in course of time there would be religious as well as political difference between the two nations; penal laws would be passed against the English clergymen, who would be hunted about the country for two or three hundred years; their flocks would be kept as much as possible in poverty and in ignorance; these clergymen, so bad is our nature, would perhaps kick against these laws, and become agitators, till some English O'Connell would set up with their assistance in London, and be silly enough to cry out for a parliament <sup>back</sup> again in Westminster Hall.

Far worse than loss of money which (under our existing political and social institutions that just meet to impoverish Ireland) slips away like water through a sieve, is the lack in Ireland of all pride in our government, in its prosperity or successes at home or abroad; all people feel, no matter what they say or write, that we are in every way under another country, and do not govern ourselves.

Now a federal union between Great Britain and Ireland, each island (under one and the same king or queen) sovereign at home in its own affairs over its own land, with an imperial con-

gress, or assembly, or parliament (no matter what the name may be), of so many members for each island, to settle all their common foreign and colonial affairs, is the only fair kind of union between them. ABOVE ALL, THIS PLAN IS QUITE POSSIBLE; FOR, IF WELL AND PLAINLY PUT FORWARD, ALL THE MIDDLE CLASSES, AND THE GREAT MAJORITY OF THE COUNTRY-GENTLEMEN AND NOBLEMEN, IN IRELAND, ARE NOW AT HEART, AND WILL SOON OPENLY EXPRESS THEMSELVES, IN ITS FAVOUR. Only rash violence, or abusive language, or extravagant hopes of good, which soon turn into disappointment, or hasty and unconstitutional steps towards its attainment, can stand in its way. There are, of course, great difficulties in every political change; but far worse, and more dangerous, in the continuance of a bad and unfair system. The establishment of two (sovereign at home) parliaments in Great Britain and in Ireland, and of one common imperial parliament of, say, one hundred members,\* for the common foreign and colonial affairs of both islands, would of course leave the British parliament only the affairs of Great Britain (which, bye-the-bye,† would then be most likely far better managed than at present), and would thus deprive its members of all their present influence beyond the shores of their own island. Now, as this rough sketch is the only fair plan of union between Great Britain and Ireland, and would serve well both countries, especially the middle and useful classes, who would then be far better attended to, if the English country-gentlemen say, “We will have no change here;” “We will not put ourselves one jot out of our way;” “You must continue to knock under to us, &c. ;”

\* Englishmen..... *a* } Where  $a + b + c + d = 100$ . The more numerous  
 Welshmen ..... *b* } an assembly, the worse the business is done. But  
 Scotchmen ..... *c* } who would choose them? The federal plan is not  
 Irishmen ..... *d* } yet ripe for questions in detail.

† As a sign of this general feeling—“There must be some great mismanagement somewhere, (where, we cannot say), but the system of our legislation is bad.”—*Times*, August 10, 1844.

why then (for the Irish people are *determined* to repeal the act of Union of 1801, an abominable measure, bought and sold on both sides, and all against Ireland) the general disaffection in Ireland will, on the first occasion, shape itself into complete national independence.

In every little village in Ireland, in every farmer's house, in every townland, among the shopkeepers and merchants all over the country, among the linen-merchants of East Ulster and their workmen; in the large towns of Dublin, Belfast, Cork, Limerick, &c., &c.; among the lawyers, physicians, religious ministers of every kind;—in short, among all men who live by their hands or by their wits, there is a strong feeling of dissatisfaction at the invisible decay in every branch of trade, commerce, and manufactures, under an always-absentee government; or there is dissatisfaction and insecurity in their prosperity, in the absence of any congenial national political institutions, of any *bonâ fide* self-government. The federal system will call forth this spirit. We shall then feel pride and honour in our institutions. Men will not then hasten away from Ireland to the United States, or to Canada, as soon as they get a few hundred pounds within their reach. There will then spring up a strong public opinion in Ireland, which in every county, in every town, will both urge forward and reward men who deserve well of their country. There will be national games and amusements. There will be a cheerfulness, an open honesty and straightforwardness, in the national character; a feeling of self-satisfaction, a stimulus to activity of every kind. There will be "*la porte ouverte au génie*;" and, with the friendly sympathy of every nation in Europe, and of America, Ireland will step forward in social and political civilization.

I skip all the usual apologies of an author to please the public.

I write in favour of, and will try to bring about, a federal Union, because I believe in my heart it would be far better for the people both in Great Britain and in Ireland. I shall be happy to acknowledge any error in any matter of fact, or in any inference. *I have done my best to tell the truth fully and fairly on both sides ; and happen to know that many Irish gentlemen, who now pass muster with the English Tories, do at heart agree with these opinions.*

I try to put all the various opinions, over and over again, in all their various lights, before the public, in order to lead people *to think and to choose.*

**J. G. V. PORTER.**

CROCKNAFARBRAGUE LODGE,  
AUGUST, 20, 1844.

# I R E L A N D.

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## CHAPTER I.

“NATIONS, LIKE MEN, WHO WILL NOT MANAGE THEIR OWN AFFAIRS, ALWAYS LOSE BY THEIR NEGLIGENCE; FOR NO NATION EVER YET GOVERNED ANOTHER FOR NOTHING.”—*Porter.*

A doubt across a true Irishman's mind—The first practical step towards self-government—Ireland has never yet had an independent Parliament—Colonel Archdall's opinion in 1782—Analysis, nation by nation, of the Imperial Parliament—A key to the policy of England towards Ireland in Pitt's time—*Divide et Impera* still the policy of England—An Irish Whig's opinion.

### *A Doubt across a true Irishman's mind.*

WHY, we have got already *all the necessities of government*, the public peace is well kept, life and property are safe, justice between man and man is ably and fairly administered, the press is quite free; why risk these blessings in an attempt to get also *the luxuries of government*? the pride and pomp of its residence in our own metropolis, of the residence of our own noblemen, and Members of Parliament, and most distinguished men, in our own country, &c.?

But you do not put the case fairly. There would be not merely a change of “place,” but also a great change in the whole spirit, in the whole animus of our government. Our own Parliament, in College-Green, would look first, in every measure, to their own country; different parties would, of course, take different views of its wants, and would propose different measures, but all with the common aim *to raise Ireland*; whereas, the Imperial Parliament does, and must, and always will, look upon Ireland as a province, nay more, as a troublesome rival, that must be kept down within certain limits, always under Great Britain. Why, the great body of members in London care as little about Ireland, about the welfare of our farmers, as about Jamaica. We are governed with one view, to be useful to Great Britain, to the



British empire, to supply her armies with soldiers, her ships with sailors; to be a great market for her merchandise, to supply her manufacturers with cheap food in abundance, with cheap labourers in thousands. A farmer will in the same way take good care of his cattle.

*The first practical step towards self-government.*

We must neither oppose nor join the O'Connellite party. It is, or, which is the same in effect, will always be thought more Roman Catholic than Irish. The Ulster Protestants will never join either O'Connell, or his sons, or his successors. *Without the Ulster Protestants no national step can be taken in Ireland.* We must not oppose O'Connell; millions of our countrymen look upon him as their head. We wish to be all united, friendly countrymen. Some men, say a dozen, must at their own risk, form themselves into "an '82 council," and must draw up and print certain political queries, in moderate language, with their names, and send a copy to every nobleman, member of parliament, justice of the peace, Protestant, Presbyterian, and Roman Catholic Clergyman, and beg them to send in, by a certain day, their answers in short language. Some will put the paper in the fire; the noblemen will not commit themselves, they will look on and wait for the harvest; but a great many, the best, the cleverest, the most generous and sincere spirits in Ireland, will answer the questions. Then publish these answers; *i. e.* all the best answers on all sides, not merely the answers on any one side; and in the alphabetical order of the name of the writers; thus a nucleus of public opinion of the best-known and most-honoured men in all the counties, is at once got up. These answers, written calmly by men in their studies, of all ranks and professions, would at once gain, because they would deserve, the attention not of Ireland only, but of Europe. I had drawn up about thirty such questions, on the likelihood of Irish national prosperity from the Union of 1801, on our religious dissensions, on the federal question; but do not wish to step in alone upon ground, that, if well taken up, may be of such service to Ireland.

*Ireland has never yet had an Independent Parliament.*

It is often said the Irish once had a parliament which worked badly, and so would every parliament in Ireland.

1. The old Irish Parliament went to the dogs in 1801, simply because it was not what it professed to be, the Irish parliament, but of the Protestants only, with four-fifths of the nation more hostile than neutral. It never stood upon the broad basis of the whole Irish nation.

2. It possessed legislative, but never political independence; such and such party came into, and went out of office in Ireland, not in deference to the majority in the Irish, but in the British House of Commons. The head of the most powerful party in the British parliament was Premier and appointed and put out the Lord Lieutenant of Ireland at his pleasure. Thus when the A's came into office in England, the A's therefore came into office in Ireland also, where they might happen at that time to be in a minority.

3. The British government brought on the Union of 1801, not for fear of difference of opinion between the two legislatures (the Regency question had happened 11 years before), but because (1.) Ireland was getting rapidly too strong and too prosperous for England: (2.) because the Irish Protestant parliament could not much longer keep the Irish Roman Catholics out of any share in the government of their own country. The Tories thought the Union would hide the Irish Roman Catholic majority in an imperial Roman Catholic minority.\*

*Colonel Archdall's opinion in 1782.*

"LIBERALITY is the best basis of power. The late happy change in His Majesty's measures in Great Britain and Ireland seems to be the harbinger of prosperity and indissoluble union to both kingdoms."

I quote these words of Colonel Archdall, from his address *to the armed volunteers of Ulster*, beginning, "Friends, Freeman, Fellow-soldiers," because his high and honest character is well known in Fermanagh, on purpose to show that a man may be both a loyal Protestant and a true Irishman. Colonel Archdall congratulates that noble body of men, the volunteers, 40,000 strong, on the lately-won legislative independence of the Irish parliament. Eighteen years afterwards, that constitution, which, like all generous Irishmen of his day, he thought would work so well for his country, went shamefully to the dogs. He would not have been deceived in his hopes of good, if half the Irish members of 1801 had been as honest as himself. Why did the Irish parliament fall to pieces? What was the cause of its weakness and misconduct through its whole career? Why simply *because it was not what it pretended to be, namely, the Irish parliament, but the parliament of the Irish Protestants*; not the parliament of, and honoured and supported by, the whole nation, but the parliament of only every fifth man. It was the council of a great Protestant garrison spread all over Ireland, *to keep Ireland for England*; and when the garrison could

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\* See Stewart's "Collectanea Politica Hibernica," 3 vols. 8vo, a most useful Irish Chronicle, from 1760 — 1801.

no longer hold their ground, two roads lay before them, to join hands with their own countrymen, and, a strong united nation, to live for the future in most friendly union with their honest hard-working neighbours, the Scotch and English people, but to manage all their own affairs at home; or else to let in their allies. The Irish parliament, in 1801, chose the latter, on purpose to shun the former course. But happily in 1829 common sense and common justice won a great victory in the three United Kingdoms over religious bigotry. *There is now no reason of weight why an imperial parliament should not govern both islands much better than separate parliaments in each.* Indeed, everybody must see at once that a common imperial parliament *can* hold out to both nations, more advantages, with less drawbacks, than any scheme of federal government. *Vis unita fortior.* In theory what more just or wise than that two large islands, of nearly equal strength, should be governed by one body of deputies *fairly* sent from all its parts? Excellent! we thus avoid all the jarring jealousies and collisions between two independent parliaments, in the two islands. Now what still remains to be done to carry out *fairly* this plan of partnership between Great Britain and Ireland is a trifle, like dust in the balance, in comparison with the risk and trouble of uniting the two parliaments in 1801. *But this work must now be honestly and fairly done*, or, at the first commotion in Europe, a great limb of the Irish nation, with plenty of friends to back them up in France and America, and united themselves at home by a most wonderful organization, will give England some trouble. Here is the whole truth. *Ireland has been hitherto governed as if she was a Protestant country*; but Ireland is not a Protestant country; some are Protestants (Episcopalians), some Roman Catholics, some Presbyterians. Next, *Ireland has been hitherto governed, as if, by some decree of Providence, she was inferior to England.*

### *The Imperial Parliament.*

	Members.	Population in millions.
England and Wales .....	500 .....	16
Ireland .....	105 .....	8
Scotland .....	53 .....	2½

Thus three Englishmen or five Scotchmen must be as good as eight Irishmen.

Bye the bye, while I hope we shall soon have a good franchise in Ireland, on a broad basis, I must add, that there is no political suggestion, which, on inquiry, so little can be said for, or so much against, as the abominable ballot box (which Sir James Graham, now a Tory

Minister, recommended in 1832, when on a committee to draw up a plan of the Reform Bill). A BALLOT-BOX ON EVERY HUSTINGS WOULD BE THE MOST INVIDIOUS, THE MOST MISCHIEVOUS ENEMY OF EVERY HONOURABLE VIRTUE. In practice it is either a humbug or a nuisance. In France and America men's votes *are* all known to their friends and neighbours. A man would there scorn to conceal his political opinions. Convenience not secrecy is there its only use. The English farmers wanted the ballot-box, when divided from their landlords on the Reform Bill and Corn Laws. Lord John Russell has always, since the Reform Bill, ably opposed this (falsely so-called) liberal question. Universal suffrage is universal humbug. A 20*l.* Chandos clause, *i. e.* the *occupation* under any agreement or title, *no matter of what kind*, of land or houses valued to the poor-rate at 20*l.* a year, net annual value, would be the best basis in Ireland of the franchise.

*A Key to the policy of England towards Ireland.*

"I own to you the line to which my mind at present inclines is to give Ireland an almost unlimited communication of commercial advantages, if we can receive in return some security *that her strength and riches will be our benefit*, and that she will contribute from time to time, in increasing proportions, to the common exigencies of the empire; and having thus removed every temptation to Ireland to consider her interest as separate from England, to be ready, whilst we discountenance wild and unconstitutional attempts, which strike at the root of all authority, to give real efficacy and popularity to government, by acceding (if such a line can be found) to a prudent and temperate reform of parliament, which may guard against, or gradually cure, real defects and mischiefs, and may show a sufficient regard to the prejudices and even interests of men who are concerned, and may unite the Protestant interest *in excluding the Catholics from any share in the representation or government of the country.*"—Pitt's letter to the Duke of Rutland, then Lord Lieutenant of Ireland, of date Oct. 7, 1784, on Pitt's wise but unsuccessful measure towards free-trade between England and Ireland.

These admirable letters were published, for private circulation, by the present Duke of Rutland (see an article in *Quarterly Review*, 1842, by Lord Mahon). For Pitt's subsequent change (*after* the Union) in favour of a Roman Catholic Relief Bill, and his consequent rupture with George III., see *Quarterly Review*, 1827 (Pitt's letter to George III., given up by Lord Kenyon). These few pithy lines of a master-mind seem to me to describe at once the usual policy of England to Ireland. Great political wisdom! and great commercial and religious illiberality!

*"Divide et impera" still the policy of English statesmen.*

"I fear it has now become a religious strife between Protestants and Roman

Catholics. . . . A moment's thought must convince us all that any ministry will ever look to the Protestants of the North as the great link of Union with England. *To uphold and foster the Irish Protestants must be ever the policy of Great Britain.*"—Marquess Londonderry's letter to Lord Roden, August 19th, 1843.

*An Irish Whig's Opinion.*

That one supreme imperial parliament *can* be far more useful to both islands (Great Britain and Ireland), and to the empire at large, than a separate parliament, no matter under what plan, for each. For there must be political concord between all the parts of the same political system: therefore, in the case of *only* two parts, the weaker would be independent only in name, obliged always *by fair means or foul* to agree with the stronger, which sooner or later would end *in corruption or in war*.

*Several* states, each sovereign at home, can form together a strong federal system; for example, the seven United Provinces of the Netherlands formerly, and at present the twenty-six United States of America; but the necessary rivalry *between two only* would soon end in a trial of strength, *i. e.* in war.

Besides, there is already ample room *within* our excellent constitution (if there was only more union at home between ourselves) to redress by degrees (the safest way) the grievances of Ireland *v.* England.

That the imperial parliament should meet every third year in Dublin.

That in the circumstances of Ireland, the state should not connect itself exclusively with any particular church, but help, by fixed salaries, to support well all the Episcopalian and Presbyterian Protestant, and Roman Catholic clergymen that have congregations. Thus the state would look on, and preserve the public peace and the security of life and property (which is *its* business, and not to propagate or to extinguish this or that religious opinion). All creeds would then have fair play, and if the creed A is much better than the creed B, it would gain ground by degrees, otherwise so much the worse for the followers of creed B, which is their own affair, and their own loss; or, if not the worse, then there cannot, after all, be much essential difference between creeds A and B.

That the English statesmen, people, and parliament, must wholly give up any old crotchets in their minds, that England has any right of any kind over Ireland, either as her colony or conquest. Because the English people who lived in the *x<sup>th</sup>* century possessed, by

the issue of war, such and such authority over the Irish of that time, it does not follow that the nine millions Irish of to-day, with their eyes open to their own strength, and to England's weakness, will long submit to any kind or mode of government which does not best suit them. As there must be politico-religious equality between all creeds in Ireland, so political equality between Great Britain and Ireland. A hundred years ago Great Britain was a long way ahead of Ireland in civilization and political power, but Ireland has now nearly caught her up, and, as she possesses more natural advantages, will, in the course of time, get beyond her. The Union between Great Britain and Ireland must be *bonâ fide*; each side must divide the gains as well as losses; not the state-trick of 1801, bought and sold most shamefully on both sides, which was *not a union, but a legislative conquest of Ireland*. Great Britain stood where she was before, and Ireland went all the way to her.

## CHAPTER II.

## CE QUI DOIT DEVENIR GRAND, DOIT COMMENCER PETIT.

Good Irish measures since 1801—A sketch of the repeal agitation in 1843 and 1844—The repeal rent, week by week, in 1843 and 1844—The dismissal of repeal magistrates by Sir Edward Sugden—Murders in Ireland in 1843—Irishmen in the British army—A few short observations.

*Good Irish Measures since 1801.*

WE must be just to the Union. More great and good government measures have been passed in Ireland *in the last half century than in all our history before*. The great change for the better in every branch of legislation since 1801 must give good heart to men who suggest a few more steps, still needful, in the same way. We can now look back with pleasure, and forward with hope. *Labor improbus omnia vincit*. The whole horrible system of sordid religious bigotry, built up in the sixteenth, seventeenth, and eighteenth centuries, which has so long been like a curse from heaven upon Ireland, is now in ruin. We must still clear away the rubbish about old walls, now most certainly useless, which (at the best) may have done a little more good than harm in former times and in different circumstances. To forget in private our old friends would be ingratitude; to keep up in public any signs offensive to the great bulk of our countrymen, would be mischievous rudeness, and straight against the great rule of our religion, "Do unto others as ye would they should do unto you."

In the sixteenth century each creed thought the gates of a happy eternity open only to its own members. Hence a furious fanaticism. It may then have been sometimes better, for the sake of self-preservation, to attack and to persecute at once, rather than to wait for their onset at their own time; and only a narrow line divides successful self-defence from vengeance. The whole system of penal laws must seek its excuse in these observations.

*The Police*, half-constables, half-soldiers, half under the magistrates, (the country gentlemen,) half under their own officers (the government), half against civil, half against political offences, at any time available as the best of constables, or the best of soldiers. Just the force for Ireland. *Palman qui meruit ferat*, I believe we owe this

body of men, about 8,000 strong, as fine and as useful as any in the world, to Sir Robert Peel. The police system in Ireland is now far better than in England or Scotland. Their "London new police," and "new county police," are after our example.

Public courts of PETTY SESSIONS,\* (in 1823,) instead of hall-door justice, always open to petty tyranny and partial affection, and a shelter to ignorance. Justice between man and man is now better dealt out in Ireland than in Great Britain.† The English country gentlemen are in general *above their business*.‡ Hence the Rebecca riots in Wales, and the tremendous abuses of the old poor-law in the south of England.

*Free Trade between Great Britain and Ireland*, (1825). A change most useful to both islands, but whose continuance does not depend upon the continuance of the Union of 1801. The American States are all sovereign over their own land, with their own and often widely different forms of government, laws, interests, &c., &c., but free trade runs between them all, just as between the English counties. These States are united only in an offensive and defensive alliance, and for that purpose send each some members to a general congress to manage all their common foreign affairs. But also every two independent kingdoms, like France and the Hiberno-British empire, for example, might allow free trade between themselves, with wonderful advantage to both sides, but for old bad laws, for foolish national vanity, and for the selfishness of privileged classes. If a certain article is manufactured in two countries, A and B, and cheaper in A than in B, (from some great natural advantage, or better skill, or more capital,) then, if free trade passes between A and B, its manufacturers in B must of course give up, or reduce their prices. But the people in B who use that article would now pay less, so the nation B would be all the better off, though the manufacturers of that article would be obliged, at some loss, to change their business. Thus, free trade soon obliges each country, and each district of country, to apply itself to produce that article *pro bono publico*, which there finds its natural *locus*; or conversely each and

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\* We owe them, I believe, to Marquess Wellesley and to Judge Torrens.

† In England the "costs," the fees to the clerk, &c., &c., are often three or four times as much as the fine: for example, the fine is often 3s., and the costs 12s. The courts, too, are not always open, as in Ireland, to the public, but with close doors. I see in the *Times*, May 18th, 1844, that a brewer's drayman at Windsor was fined 6d. and costs for driving without reins. The costs came to 15s. 6d. just thirty-one times as much as the fine.

‡ Bad farmers, and bad justices of the peace.



every article is then produced only in its own, in its best place, which is of course the best system for the whole body and the whole world. We thus see at once why some States continue to hedge themselves with duties on foreign goods. There is always some powerful class within that State which deals in those goods, but cannot or will not sell them as cheaply as the foreigner. Thus that class levies a tax upon its countrymen, year after year, for its own benefit.

The excuse of the government always is, "We wish to nurse the manufacture, only lately set up, of such and such article, and, as soon as it is strong enough, we will open our ports to the foreigner." But by that time its manufacturers are also a strong party, and able to keep up the duties. The excuse then is, "We cannot let this article in duty-free, as there is such immense capital laid out in its manufacture in our own country." Thus, the countrymen of these manufacturers, who consume this article, continue year after year to pay them a positive tax. By the bye was ever good cause worse ridden than free trade in corn, or at a low fixed duty, by the anti-corn-law-league? There is no doubt but that a fixed duty upon foreign corn would be far better for this country, *especially for farmers under rent*, than the sliding-scale, which only serves the corn-capitalists. Yet the violence, the threats, the bribes of Cobden and Company have brought the League down to the dust. They certainly are men of only one idea.

*Lord-Lieutenants of Counties*, as in Great Britain, a most useful cross between the feudal, aristocratical, and the new central system of government, where, as in France since 1830, the central representative government is the all-in-all everywhere. There is thus one honourable office at least in the gift of government to keep some men of large fortune at home in every county, in this office, or in hope of its reversion, a paltry but practical advantage. The magistracy of the country also are thus kept in a healthy tone; government before could always make tools to carry on their jobs, and the disgrace fell on the whole party, *i. e.*, on nobody. Now one man in every county is the channel of admission to this honourable body. His use of this privilege is open of course to public opinion, praise or blame; but it is most likely of great consequence with him to stand well with his county-men; and the Lord Chancellor cannot, in practice, make a man a magistrate in his county against his advice, without some special and public reason. For the great side-benefits of honourable offices of this kind, (like prizes for good character and public usefulness, though of course sometimes badly given,) see the different case of France, where, with similar political institutions in skeleton, for want of this

feudal cross, an immense bureaucracy hangs immediately in dependence upon the minister of the day. (See *Laing's Notes of a Traveller.*)

*The Roman Catholic Relief Act* of 1829, the death-blow to the penal laws, an ample title to its eternal honour in Irish history. Ireland owes all her peace since, and all her good hopes now of national prosperity, to *this* wise and just measure.

*The Tithes* of the Protestant clergy taken off the land-occupiers, (almost all Roman Catholics,) and laid on the landlords, (almost all Protestants.) This great Whig measure put an end to the tithe-war. Government again became possible in Ireland. The Tories, without this most successful of all great measures, could never have come into office in Ireland, *i. e.*, without a civil war.

*The Abolition of Church Rates*, (*i. e.*, of a tax upon one million of men of creed A, and one million of creed B, and seven millions of creed C, to keep up the churches only of creed A,) and the revenues of several sinecure bishoprics and parishes applied under the ecclesiastical commissioners to their purposes, a great step in the just line that "every religion should pay its own expenses." The sixth article of the Act of Union of 1801, between Great Britain and Ireland, *viz.*, that the Irish Protestant church of that day shall be for ever kept up *in statu quo*, is plainly broken by this just measure.

*The County-Grand Jury Rooms*, (1836,) opened to the public (on fiscal business,) formerly with close doors. The popular institution also of road sessions in every barony of certain cess-payers and magistrates, who must first approve of every\* item in the public expenditure (like the House of Commons in the case of money-bills), before it can be laid at next assizes before the grand jury. Hence, of course, the public money better spent than formerly. As much cess or more†

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\* There are some imperative presentments, *i. e.*, which the Act of Parliament enables the judge at assizes to lay *of himself* upon the county, as the salaries of county-officers, &c.

† But it falls lighter than formerly, because on a much larger surface, so much waste land has of late years been brought into cultivation. The Irish road system (far better than the English, where the large roads are kept up by turnpikes, under trustees, and the small roads by the parishes) still fails in one point. It is extremely difficult to pull up road-contractors who fall short in their work, either in time or in its quality. The grand jury ought to be enabled to appoint, and always keep up some trustees (say three) in each county, who could (*i. e.*, the county surveyor in their names and by order of the grand jury) prosecute them at once. I know counties where there are several hundred cases every assizes, of breach of contract in the road-makers, which, from the trouble, delay, and expense of prosecution, are allowed to pass unpunished into the undischarged queries, *i. e.*, the money allotted at (say) the last assizes to pay for a certain road for the public convenience and use is again put in the county-books, as the road is not finished

upon the country, because far more roads and far better, far more bridges and far better, but less jobs.

*County Surveyors*, most useful public officers. In the large counties the county surveyor has a great many assistant-surveyors under him, but I think the public would be better served if so many baronies were given to one surveyor with two or three assistants, and the rest to a second surveyor. From the nature of his duties, it is impossible that one man can in any useful way overlook the roads of a county of 1,000 or 1,200 square miles.

Three great public works have also been undertaken by the government on a most liberal scale, *the Census of 1841*; the (Griffith's) *Valuation of Land and Houses*; and the (ordnance) *Survey of Ireland*; which, taken together, give most ample and most accurate information of the state of the people and of the country. It is desirable that the index county maps of the ordnance survey should be printed in a more useful, less obscure form. Their surface is all covered with names of places and with roads, (often old roads, quite in disuse); and with lanes, (often not in existence), in short, with much matter that, if required at all, should be kept for the sheet-maps. *It is extremely difficult to trace even leading roads or large rivers upon them*, and the price is 2s. 6d. or 5s., while, if drawn up to be of use to the people who live in the counties and not as show-maps, and upon stone, and for 6d. apiece, twenty times as many would be sold in the country.

In the matter of "valuation of land and houses" there has been some strange mismanagement somewhere. The point desired was of course, one uniform book of the valuation of land and houses all over Ireland, county by county, and townland by townland, as a

within its time, and kept there perhaps for several years, till the county surveyor is able to give his certificate that the road is fit for use. Thus the county is served far worse than any private man. There are always two bailsmen to every county-contract, and in some counties the grand jury will give these men the choice to take the road on their own hands, or to run the risk of a crown prosecution; but the best and most simple remedy for this bad spot in our road system would be the appointment, as I said before, of three country gentlemen, as a court of road-trustees, in each county, whose powers might be easily confined to this particular purpose of prosecution of road-contractors, in case of breach of contract. In England, the trustees in turnpike roads and the parish overseer in parish roads, possess this most necessary power, which in Ireland is all in the hands of the crown. A county-surveyor at present can give a road-maker a ten-days' notice to put his road in good repair; and at the end of that time, if not put in order, can then employ men himself, but *cannot get cash to pay them till the next assizes*, out of the presentment, which is a great disadvantage.

basis for every kind of taxation. Mr. Griffith's townland valuation, most excellent in itself, only professes to give the *comparative* value of land, about 33 per cent., I believe, below the setting value, *i. e.*, if townland A sets for twice as much as townland B, then the value laid on A is twice as much as on B, though both are about 33 per cent. below their setting value, which is plainly quite as good and as fair a basis of taxation as if the setting value had been put down. Now when the poor-law came into play the poor-law commissioners had every union valued over again, occupier by occupier, and at the setting value. Thus the people of Ireland have, within a few years, paid for two valuations of their land. The townland in Ireland is quite small enough as the unit of a general valuation, and the poor-rate, like the county cess, might then be laid first on the townland, and then by sworn applotters on the several occupiers within the townland. But it is most desirable that the poor-rate and county cess and every tax, should be collected all in the same way, at the same time, twice a year, in one sum, and *either all on the landlords or all on the land occupiers*. Then from this general sum let the various branches of public service in the county, the roads, the gaols, the poor-houses, the hospitals, &c., &c., draw their support from time to time, under the necessary legal steps. It is only a trick, to lay a tax so much on the landlord, and so much on his tenant, and to suppose that therefore that tenant pays so much less rent. I think the county-taxes would be far better and more carefully spent, if all upon the landlords, who chiefly assess them.

Then the system of *National Education*, which has now overcome, by mere dint of public usefulness, the blind and thoughtless opposition of idle bigotry, and which, now quite successful, with the warm approbation\* of all the great statesmen on every side, and of all the sensible men, and of the middle classes in Ireland, holds forth for the time to

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\* That is, in debates in parliament. The three bishops appointed by Earl de Grey, Drs. Stopford, O'Brien, and Daly, are all tooth-and-nail enemies of these most useful schools. Dr. Daly calls them "the devil's work." It is the same bishop who made a violent attack upon the Trinitarian Bible Society, and would not afterwards acknowledge his own words; but evangelical men have a larger license than sinners. At the 38th anniversary of the London Hibernian Society, May 2d, 1844, Dr. Daly, the Bishop of Cashel, speaking of the system of national education, "deeply regretted that the Presbyterians of the north had joined in the unholy compact," &c., &c. "It was the principle of the national education system, that every man who got assistance from their board must not presume to let the scholars get a sight of the sacred Scriptures." Who can wonder that a church loses its ground, whose bishops talk, not to use a worse term, such nonsense?

come, such great advantages to the Irish peasantry, more perhaps than are within the reach of their class in any country in the world, is a wonderful victory of common sense over inveterate and fanatical prejudices. The Irish clergy never fell into a worse mistake than when (their great majority) led by some silly heads they deserted the wise and philosophical Archbishop of Dublin, and, by every kind of active and passive resistance, did their best to bring about the failure of this excellent system, which, in the divided circumstances of religious opinions in Ireland, with the poverty of the great bulk of the people, and with the bitterness of religious party-spirit, is a *necessary* basis of future national prosperity. Its schools all over Ireland, are practical proofs of the desire of the state to bring up the poor Roman Catholics, and Presbyterians, and Episcopalian Protestants, as well as possible, each in his own religion. It was only bitterly ironical in the Irish church to say to the poor Roman Catholic children, "We will educate you in our schools," and then not to let them in, unless they first fell into such and such customs, which, while Roman Catholics, they never could agree to. At the same time I hope the state will never extend its assistance beyond 75,000*l.* a-year, which is enough to keep up well the central schools for the schoolmasters, and a system of general superintendence. Education, beyond the circumstances of a class, is more mischievous than useful. People will buy what they want, and what they get for nothing will be good for nothing. The better the schools, the more easily will they support themselves.

*The Poor-Relief-Act*, this new and bold law has not yet overcome the great obstacles in its way, and has not been wisely put in execution, and will require some alteration in the assessment and collection of poor-rate, but yet will stand forward in history as a most wise and statesmanlike, and timely measure, to save a downward, poverty-stricken, beggar-ridden nation, and has already, by its open boards of guardians, by their discussions, &c., &c., been indirectly of great use to Ireland, and brought about a much more healthy tone of mind on all questions of social economy.\*

If we now look back over the last half-century, what country, in that space of time, ever made more progress in every branch of legislation, and of the public service? or ever got, within fifty years, so many great, good, and successful laws? I must tell the truth, though I know the inference will be, that our government, under an imperial

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\* A moderate vagrancy act, the necessary supplement of a compulsory poor law, is now much wanted in Ireland.

parliament, must be good, and under our own parliament could hardly be better, and would most likely be worse. I reply, that as a province, no country could be better governed, or in a better spirit, than Ireland. Manhood has more burdens to bear than youth, but who would live always under tutorship? One reason why so many good laws have been passed since 1801 is, that our old system was atrociously bad. Now all these good measures have put down party-spirit, and thus made self-government at home, under a common imperial congress with great Britain for foreign and colonial affairs, so much the more easy;\* next, we shall never ripen into a nation with a national literature and history without self-government; lastly, the internal affairs of both islands would then be far better and more carefully managed than at present in an overgrown monstrous imperial parliament, sitting seven months in the year yet that gets through its work *badly*, sometimes in a great hurry, sometimes slowly, incapable from its nature of any continuous and regular application to its legislative duties.

I will also observe, that we owe almost all these good measures to the Whigs; yet the people of England, and of Ireland, seem for a time to have forgotten and deserted Lord John Russell. "Put not your faith in," &c., &c.

*A Sketch of the Repeal Agitation in 1843, and to the end of the Session of 1844.*

1843.

*Beginning of January.* O'Connell gives out 1843 to be the great Repeal Year, during which he will also agitate for five measures, namely,

1. Total Abolition of the Tithe Rent-Charge.
2. Fixity of Tenure for Occupiers of Land.
3. Encouragement of Irish Manufactures.
4. Universal Suffrage, and Vote by Ballot.
5. Abolition of the Poor-Law.

*May 7.* The first monster Repeal meeting, on the Curragh of Kildare.

*May 9.* The Duke of Wellington and Sir R. Peel, in the Houses of Lords and Commons, declare that Ministers are determined to keep up the Union of 1801.

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\* Nations must have arrived at a certain degree of civilization to be fit for the federal system, but can never pass beyond a certain point under the central monarchical plan. All nations, in time, must come to the federal system.

*May and June* Sir Edward Sugden, Lord Chancellor of Ireland, dismisses a great many magistrates for attending Repeal meetings. The violent Arms'-Bill debates in the House of Commons.

*August 24.* Parliament prorogued by the Queen, who declares herself determined to keep up the Union of 1801. The only Irish measure of note passed in this long session was the useless and abominable Arms Act.

*September.* O'Connell suggests that three hundred gentlemen from the different counties in Ireland should meet in Dublin, towards the end of 1843, as a kind of parliament, and should first pay £100 apiece. Into whose hands the £30,000? I do not know.

*October.* The silly Repeal Arbitration Courts established.

*October 7.* The great Repeal meeting, to take place the next day (Sunday, October 8th,) at Clontarf, suddenly prohibited late this evening by Earl De Grey. O'Connell urges the people to forbearance, and no blood is shed.

*October 12.* Messrs. Daniel and John O'Connell, Duffy, Gray, Barret, Ray, Steele, and the Rev. J. Tyrrel and the Rev. T. Tierney, Roman Catholic priests, suddenly arrested, on a charge of seditious conspiracy, and admitted to bail. The trial to begin January 15th.

*November.* The Irish Land Commissioners appointed; Lord Devon, Sir R. Ferguson, M.P., Messrs. Redington, M.P., Wynne, and Hamilton; to examine witnesses all over Ireland upon *the tenure of land*, and upon *county cess*, ON OATH, and to take down and to publish all such evidence. It is thought that their Report will, next session (1845), be the basis for new laws upon these great questions. The consolidation in *one plain simple intelligible act* of all the Irish landlord-and-tenant laws, passed at wide intervals of time, and under different circumstances, &c., &c., would be a most useful measure. No commissioners as yet appointed to inquire into the system of land-tenure in England, often as bad as anywhere in Ireland, hence the Rebecca-ites in Wales, incendiaries in Suffolk, &c., &c.

1844.

*Early in January* begin the legal steps to choose a jury of twelve men to try O'Connell, &c. in the Queen's Bench. The high-sheriff of the city of Dublin (Mr. Latouche) gives in 717 names (the special-jury panel). It is soon found out that 59 names (30 Protestants and 29 Roman Catholics\*), which had been put down on the recorder's

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\* Thus the ratio of Roman Catholics to Protestants in the last list was as 1 to 1, while in the list of 717 names given in, it was only as 1 to 4. See Mr. T. B. Smith's speech in the House of Commons, February 21.

(Right Hon. F. Shaw's) list, were omitted in some inexplicable way. These 717 names are then written on a roll, with a number from 1 to 717, before each. The same numbers are also written upon 717 cards, which are then thrown into a box, and (Mr. Bourne) the clerk of the crown draws out 48. The names of the jurors opposite these numbers are then drawn out on a roll, and the crown solicitor (Mr. Kemmis) and the traversers' solicitor (Mr. Cantwell) strike off, one by one, turn about, 24 names. Among the 48 were only 11 Roman Catholics; Mr. Kemmis strikes them all off. There is now a roll of 24 Protestants, and the first 12 who answer in court (and otherwise a heavy fine), and can plead no good excuse to get off, will be the jurors. The whole chance of the crown to get a verdict of "guilty," depended upon getting all Protestants upon the jury, for it had become a religious question. The Roman Catholics thought their leaders right, in their attempt to break the Union of 1801. A vast deal of tiresome legal chicanery on both sides. At last the trial begins, January 12th, and is drawn out, by long speeches on all sides, to February 12th, when the jury find a verdict of "guilty." The evidence to prove the crime of constructive conspiracy went over the last eight months,\* and was all from the public newspapers of the day. No secret conspiracy of any kind, as people expected in Ireland, was laid against O'Connell. The government at any time could have stopped by proclamation the Repeal monster-meetings. It was foolish in the government to let them run on so long; then to bring them to law so suddenly, when a verdict in their favour was all chance-work, and (if for the traversers) would have obliged the government to apply to parliament for strong special measures; and, lastly, when they could not also stop or put down the weekly meetings of the Repeal Association.

*February 18.*—Long debate in the House of Commons upon the State Trials.

*May 25.* The whole case opened again by a motion for arrest of judgment. At last, the judges pronounce (by Mr. Justice Burton) their sentence.

O'Connell to be imprisoned for one year, to pay £2,000 fine, and to find security of £5,000 for his good behaviour for the next seven years.

The rest to be imprisoned for nine months, to pay £50 fine each, and to find £1,000 security each for same time.

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\* During which, O'Connell, &c. had received no intimation from government that their conduct was illegal.



*June.* More than £12,000 Repeal-rent collected in this month. So much for the State-Trials.

*August 10.* Parliament is prorogued by commission till September 5th, not as usual, till spring; lest the judges, now on circuit, should, on the writ of error, reverse O'Connell's sentence.

In this long session, the only Irish measure of note, "the Roman Catholic Donations and Bequests Act," to enable and to induce the rich Roman Catholics to endow their priests, and bishops, and chapels, &c., &c.; a most just and excellent act, but the most pro-popish measure proposed by any British minister since the Reformation. The days of Exeter-Hall bigotry are gone by. In the Queen's speech at the opening of the session, the attention of parliament was called to the bad state of the Irish franchise-law, and of land-tenure, but no measure has been passed on either of these questions. Next session, Sir R. Peel promises to establish a lay Roman Catholic University in Ireland.

End of the session.

We observe, that though the ministry have imprisoned O'Connell, yet his agitation has opened their eyes to the necessity of attempting to put the Irish Roman Catholics *bonâ fide* on a par with their Protestant countrymen, and to bring them into friendly sympathy with the government of their country. Sir R. Peel's "Roman Catholic Donations and Bequests Act," and his proposed "Lay Roman Catholic University," will in themselves work quite a revolution in Ireland.\* These measures are not of concession, but of justice. The Roman Catholics were long not only neglected, but persecuted in every way, and it will require many special measures to raise them to their right place. It is, I fear, quite impossible for any free representative government to win the affections of the Roman Catholic priests, as a body; but I think the Roman Catholic laymen do not desire, and will not much longer tolerate, their political ascendancy. While history will praise Sir R. Peel for these great and wise measures, I must observe, that if, in 1841, he had shown his true colours to the Tories, they never would have raised him to his present place.

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\* Ireland has been hitherto governed as if a Protestant country, on the state-maxim that the Protestant religion is right, and the Roman Catholic religion wrong; but, henceforward, it will be governed on the just ground that there are both Protestants and Roman Catholics in Ireland, who think each their own religion right, while the state will look on, and give both fair-play, but does not know which is right or which is wrong.

*Repeal Rent, 1843 and 1844.*

1843.				1844.			
Week ending on	£.	s.	d.	Week ending on	£.	s.	d.
January 5 .....	142	14	0	January 1 .....	282	2	2
" 12 .....	112	6	1	" 8 .....	539	12	11
" 19 .....	132	2	6	" 15 .....	904	0	0
" 25 .....	209	11	0	" 22 .....	400	0	0
" 30* .....	128	13	0	" 29 .....	372	14	11
February 6 .....	166	13	6 $\frac{1}{2}$	February 5 .....	560	4	10
" 13 .....	245	9	7	" 12 .....	643	0	3
" 20 .....	342	3	8 $\frac{1}{2}$	" 19 .....	562	6	3
" 27 .....	185	4	5 $\frac{1}{2}$	" 26 .....	660	0	0
March 6 .....	259	0	11 $\frac{1}{2}$	March 4 .....	460	0	0
" 13 .....	363	13	6	" 11 .....	305	4	4
" 20 .....	351	0	8	" 18 .....	601	5	0
" 27 .....	278	17	3	" 25 .....	380	0	0
April 3 .....	473	14	10 $\frac{1}{2}$	April 1 .....	928	18	4
" 10 .....	448	2	0	" 8 .....	400	0	0
" 17 .....	541	15	8	" 15 .....	403	9	3
" 24 .....	465	7	4 $\frac{1}{2}$	" 22 .....	627	6	10
May 1 .....	683	9	2 $\frac{1}{2}$	" 29 .....	200	0	0
" 8 .....	574	12	5	May 6 .....	248	1	6
" 15 .....	696	12	4	" 13 .....	440	0	0
" 22 .....	709	18	6 $\frac{1}{2}$	" 20 .....	589	5	4
" 29 .....	2,205	16	3	" 27 .....	546	0	8
June 5 .....	904	11	4	June 3 .....	2,596	15	8
" 12 .....	1,717	11	10 $\frac{1}{2}$	" 10 .....	3,229	18	4
" 19 .....	3,103	7	6 $\frac{1}{2}$	" 17 .....	3,389	4	9
" 26 .....	1,258	3	9	" 24 .....	3,178	11	1
July 3 .....	2,495	14	0 $\frac{1}{2}$	July 1 .....	2,152	4	1
" 10 .....	1,690	5	9 $\frac{1}{4}$	" 8 .....	2,135	0	0
" 17 .....	1,464	19	7 $\frac{1}{2}$	" 15 .....	1,688	14	3
" 24 .....	2,198	19	6 $\frac{1}{2}$	" 22 .....	1,558	0	0
" 31 .....	2,004	10	8 $\frac{1}{2}$	" 29 .....	1,000	16	5
August 7 .....	1,354	11	4	August 5 .....	1,396	9	7
" 14 .....	913	10	7	" 12 .....	946	17	0
" 21 .....	1,138	8	7	" 19 .....	1,162	3	9
" 28 .....	1,380	7	4	" 26 .....			
September 4 .....	1,100	0	0	September 2 .....			
" 11 .....	735	0	0	" 9 .....			
" 18 .....	1,462	17	8	" 16 .....			
" 25 .....	689	11	6	" 23 .....			
October 2 .....	814	7	0	" 30 .....			
" 9 .....	1,105	3	1	October 7 .....			
" 16 .....	1,232	13	6	" 14 .....			
" 23 .....	2,287	19	6	" 21 .....			
" 30 .....	1,143	11	10	" 28 .....			
November 6 .....	1,311	17	10	November 4 .....			
" 13 .....	1,070	10	5	" 13 .....			
" 20 .....	932	13	6	" 20 .....			
" 27 .....	636	0	8	" 27 .....			
December 4 .....	994	11	5	December 3 .....			
" 11 .....	512	14	5	" 10 .....			
" 18 .....	546	14	2	" 17 .....			
" 26 .....	474	3	3	" 24 .....			
				" 31 .....			

\* From this day, the week always ends on Monday. I have left the rest of the weeks of 1844 in blank, in order that, as they come on, persons who wish to have a full list, week by week, of the Repeal rent during 1843 and 1844, may fill them up.

1843.				1844.			
January .....	725	6	7	January .....	2,498	10	0
February .....	939	11	3½	February .....	2,425	11	4
March.....	1,252	12	4½	March.....	1,746	9	4
April .....	1,928	19	11	April .....	2,559	4	5
May.....	4,870	8	9	May ..	1,823	7	6
June ...	6,983	14	6¼	June .....	12,394	4	10
July ..	9,854	10	8¼	July .....	8,534	14	9
August .....	4,786	17	10	August .....			
September.....	3,987	9	2	September.....			
October .....	6,583	4	11	October .....			
November .....	3,851	2	5	November .....			
December .....	2,827	3	3	December .....			
<hr/> £49,691    2    8½				<hr/> £			

I give this table of the repeal rent, during 1843 and 1844, because I believe that so large a voluntary tax, collected in such small sums, and therefore from so large an area, and for such length of time, and not for any particular purposes, as to give so much salary to such and such men, to build such and such houses, but spent without any voice or even knowledge of its contributors, only in the general view of opposition to the established government of the country, is unique in history.

It seems to me that common sense and common justice would oblige the committee into whose hands this large sum is paid from time to time to give as public an account of its expenditure, item by item, as of its collection.\* Is it not a maxim with the liberal party, that a state has no right to levy a tax without the consent of the majority, or to spend a tax without the knowledge of all? But while the persons who pay Repeal rent are satisfied, nobody else, of course, has any right to inquire what becomes of their money. I only fear that the world at large will not form any favourable opinion of their fitness for self-government from their conduct in this matter. The fact of the open and unopposed collection of this money, and of the debates week after week at the Conciliation Hall, all, as I said before, in straight opposi-

\* All the items of contribution, with the names of the persons and places, are given every week in the *Nation* (Dublin) newspaper. I have often heard people say that these names and sums are often fictitious, but I believe they are all *bonâ fide* true, and in no case has any fraud of this kind been discovered, as, if committed, it certainly would be. But we must use the word "voluntary" *cum grano salis*; all this money has been collected under the high pressure, parish by parish, of the Roman Catholic Priests' influence.

tion to the government of the country, is also a practical proof to the world, that there exists in Ireland the utmost liberty, and that no persons there have any right to complain of any political oppression. I thus see that the Repeal association happens to give the world the best arguments against the views of its own members; while its debates, from their violence, from their personal imputations, and from their little general ability, have hurt their good cause.

What are these sums in the eye of the historian? the sign of an ignorant, but widely-spread, and most deeply-rooted disaffection of the people to their existing political institutions.

*Dismissal of Repeal Magistrates, yet permission of Repeal Monster-Meetings.*

Sir Edward Sugden, Lord Chancellor of Ireland, dismisses (June, 1843,) about 80 magistrates, for attending the absurd but quite peaceable pro-Repeal monster-meetings, which the government allowed to be held during six months till the anti-Repeal Protestant organisation, in Ulster almost came into collision with the Roman Catholic pro-Repeal organisation in the South. At last the government put them down, at once, and without the least resistance, by proclamation, as they might have done long before.

*Opinions of great Statesmen and Lawyers.*

Lord Cottenham (late Lord High Chancellor of England) "gave his deliberate opinion that this dismissal of magistrates was quite unconstitutional." House of Lords, July 15, 1843.

Lord Campbell (late Lord High Chancellor of Ireland) said, "this dismissal was unconstitutional, unjust, and inexpedient." Same debate.

Earl Clancarty (a strong Tory, and excellent resident Irish nobleman) "could not conceive any act more injudicious, or more likely to increase the Repeal agitation, than the dismissal of magistrates, while the meetings themselves were not prohibited. Many magistrates, lukewarm before, now threw themselves into the body of the Repealers, and added greatly to their influence, and were also thus relieved from their sworn duty of keeping the public peace." Same debate.

Does not the history of Ireland since, and of the Repeal association, show that this dismissal was as unwise as unconstitutional, and could only have sprung from that utter ignorance of Irish internal affairs, and of the state of society in Ireland, which English statesmen (not Sir R. Peel or Lord J. Russell) seem to be proud of?

*Murders in Ireland, in 1843.*

"Every man who commits a crime gives strength to the enemy"—O'CONNELL.

(1.) 'Date.	(2.) County.	(3.) Name of Victim.	(4.) How put to Death.
January 17	Roscommon .....	Jones (a woman)	Cut with a hatchet.
" 24	Tipperary .....	Slattery .....	Shot.
March ...	" .....	P. Tierney .....	Stoned.
April 7	Kilkenny.....	Lawrence Hoynes	Stuck with a pitch-fork.
June ...	King's County ...	Gatchel .....	
" 9	Tipperary .....	L. Nolan .....	Beaten.
July 11	Wicklow.....	Fayle .....	Shot
August 12	Tipperary .....	N. Butter .....	Stoned.
" 14	" .....	Thos. Hennessey..	Beaten.
September 23	Waterford .....	A woman.....	Beaten.
October 21	Monaghan .....	Martin .....	Beaten.
November ...	Tipperary .....	{ Mr. Waller .. } { Miss Vereker }	Beaten.
December 7	" .....	Ryan .....	Beaten.
" 23	Meath .....	Sherlock .....	Shot.
" 26	Tipperary .....	Ardill .....	Beaten.

I wrote out this catalogue from the files of a newspaper, putting down every murder I came to ; of course there have been a great many more ; still from these examples I conclude (1.) that by far the most murders are with sticks and stones, which, of course, no Arms-Act can prevent, though by the general irritation it would give, if ever carried out *bond fide*, it would cause still more ; (2.) that almost all the murders are in Munster, which therefore requires special measures, like the strong Coercion Act of the Whigs. I had added in MSS. two more columns (the religion of the murderer and of the victim), but do not wish to give them on no better information than a newspaper. Perhaps some member of the House of Commons would next session move for a return from the Head Police Office, of all the murders committed in Ireland, in 1844, by what weapons, and the religion of the murderer and of the victim, if known, and the probable cause of disagreement, as agrarian, political, religious or personal.

*Irishmen in the British Army.*

Number of English, Scotch, and Irish non-commissioned officers and private soldiers in the British Army,

On 1st January, 1830.

	English.	Scotch.	Irish.
Life-guards .....	709 .. .....	66 .....	15
Horse-guards .....	313 .. .....	15 .....	7
Cavalry .....	5,031 .....	750 .....	3,025
Foot-guards.....	4,388 .....	437 .....	192
Infantry .....	30,208 .....	10,506 .....	37,740
In all .....	40,649 .....	11,774 .....	40,979

On 1st January, 1840.

	English.	Scotch.	Irish.
Life-guards .....	724 .....	67 .....	19
Horse-guards .....	367 .....	22 .....	10
Cavalry .....	6,174 .....	781 .....	2,569
Foot-guards.....	4,314 .....	472 .....	64
Infantry .....	35,785 .....	12,046 .....	36,531
<hr/>			
In all .....	47,394 .....	13,388 .....	39,193
Thus the Irish : English and Scotch			
In 1830 as 80 : 100			
In 1840 as 65 : 100			

Will the ratio be still lower in 1850?

*A few short observations.*

Archbishop M'Hale and the violent priests are the best supporters of the Union.

There are wild and vague hopes among the Roman Catholic peasantry of a revolutionary fall in land-rents, in case of Repeal of the Union, which ought to be put down by all true Irishmen, because (1.) wicked, (2.) silly, (3.) offensive to the Protestants.\*

If the nine millions of Irishmen were all Protestants, Ireland would have always kept its own parliament.

As soon as Sir R. Peel's measures quite put down Protestant church-ascendancy in Ireland, the Irish clergymen will not look so much across the channel, but will become Irishmen in heart.

Compare the peaceable conduct of the Irish masses under O'Connell, for Repeal of the Union, with the riots of the English masses, for *their* hobby, the Reform Bill.

THE WOOLLEN TRADE MIGHT BE SET UP IN MUNSTER, LIKE THE LINEN TRADE IN ULSTER. It there finds every natural advantage. A word to the wise.†

\* Apprehensions of the same kind long kept back the Roman Catholic Relief Act.

† I will, (D. V.), lay a paper before the meeting of the Royal Agricultural Society, next year, at Ballinasloe, upon this great national enterprise, a worthy field for that great society's exertions; and from its effect on sheep, (a stock so useful in every way to farmers), quite within its sphere.

The best basis of a just franchise in Ireland would be a vote to every occupier of land, *no matter under what title*, rated at 20*l.* net annual value in the poor books, with an annual registry in January, and a fee of one shilling.\*

In 1827, Pontefract was disfranchised for bribery; the Tories would not give the vote to great and populous Birmingham; *five years afterwards they were obliged to give up all the rotten boroughs*. In 1829, two months before the Roman Catholic Relief Act, Oxford, *i. e.*, the English church, turned out Sir Robert Peel; *a Roman Catholic Donations and Bequests Act has just passed, and the state will soon found a lay Roman Catholic University in Ireland*. In history, says Herodotus, philosophy teaches by examples.

The Whigs can govern Ireland better than the Tories, simply because they have brought forward, supported, and won all the great effective measures since the Peace of 1814, while the Tories have attacked and opposed them to the last, and still hate them. By Whigs I mean Earl Spencer, Lord J. Russell, Lord Morpeth, Viscount Palmerston, Marquess Clanricarde, Sir Wm. Somerville, Messrs. More O'Ferrel, Wyse, Redington, Marquess Normanby, Lord Mont-eagle, &c.

Sir R. Peel is a Tory in one sense. It is the Tories who brought him into, and who keep him in, office. All his measures are Whig.

The last Whig ministry fell into disgrace from personal reasons. Two of its chiefs seemed to come into office merely to provide for countless cousins. The Whigs became courtiers at Windsor, and forgot the people, and their own Whig state-maxims. They still stuck to office, when their performance fell far short of their promises (*c. g.*, in case of surplus revenue of Irish church.)

There *are* strong special reasons in the Roman Catholic Church why its clergy should not be admitted by any state into temporal authority, but no reasons against its laymen.

	Number of Men 20 years old, and upwards.	Number of Rateable Tenements.	Number of Tenements under £5.	Number between £5 and £10.	Number at £20 and upwards.	Number of registered Electors.
* Counties ..	1,700,000 ..	1,000,000 ..	600,000 ..	200,000 ..	130,000 ..	60,000 ..
Boroughs ..	150,000 ..	100,000 ..	50,000 ..	20,000 ..	25,000 ..	40,000 ..
All .....	1,850,000	1,100,000	650,000	220,000	155,000	100,000

—In round numbers from Tables laid before Parliament, 1842.

This little table is in itself a history of Ireland.

## CHAPTER III.

IN NECESSARIIS UNITAS, IN DUBIIS TOLERANTIA, IN OMNIBUS CARITAS.

The signs of still existing exclusive union between the church of England and Ireland, and the state.—The Irish church of to-day in fact more a political tie between Great Britain and Ireland, than a church for the support and extension of religious truth.—Earl Fortescue on the Irish church.—Irish Anglo-Protestants.—Protestantism the cause of our national prosperity, of our honest and industrious habits, and of our happiness.—The Roman Catholic religion a cause of the lazy and slovenly habits of the small Irish farmers, of their listless poverty, and of their bad system of agriculture.—The Irish Roman Catholic laity.—The pope.—Why so much dissension in Ireland.—A death-blow to politico-religious dissension in Ireland.—Good reason why the state should pay the Episcopalian and Presbyterian Protestant and the Roman Catholic religious ministers in Ireland, and none besides.—State payment of the Irish Roman Catholic clergy.—The service of the 5th of November in the Liturgy of the church of England and Ireland.—Archbishop Whateley's wise plan of a church convocation, and of church government.

*The signs of still-existing exclusive union between the Church of England and Ireland, and the State.*

1. The sovereign must be a member of this church, and must, (to prove his membership,) receive its communion at his accession.
2. Also the Lord High Chancellor, keeper of the sovereign's conscience.
3. The sovereign must be crowned by the head of this church, the Archbishop of Canterbury.
4. The crown appoints all its archbishops\* and bishops.
- \* 5. All its English and Welsh, and four of its Irish (in turn) bishops, have seats *ex-officio* in the House of Lords.
6. Both houses of parliament are (when sitting) opened every day by its religious service read by its ministers.
7. The state provides for all its ministers, (its parish clergymen, deans, bishops, archbishops, &c. &c.) by tithes, church lands, &c. &c. (fixed rent-charges on the land.)†

\* It is odd that Mr. Gladstone has omitted this strong link, perhaps the strongest of all, between church and state.—“The State and Church,” ch. vii.

† I do not here insinuate that the state, in the beginning, gave all or even most of these tithes and church lands to the church (then) of Rome in England, as



8. The state obliges Roman Catholic members of parliament to swear that they will not use their legislative voice to her injury.

9. The state obliges all its civil officers to declare that they will support her.

10. The state still leaves certain cases (relating to marriage, to wills, &c.) to ecclesiastical courts, whose officers are appointed by her ministers, bishops, deans, &c., as the case may be.

11. The state is bound, by the terms of the Union of 1801 between Great Britain and Ireland, to keep up in Ireland a sister church with the like exclusive powers and revenues.

12. The state sanctions a parochial tax (church rates) to keep up its parish churches (in England).

13. The state still permits the university of Oxford to shut its doors against any dissenters from this church, and the university of Cambridge to refuse to give "degrees" at the end of three years' study to the same.

*The Irish church in fact more a political tie between Great Britain and Ireland, than a church for the support and extension of religious truth.*

On May 3rd, 1844, the Lord Mayor of London (Magnay) gave the usual dinner to the bishops, &c. &c., who attended the anniversary sermon of the Gospel Propagation Society. The Primate of Ireland, (Beresford), in returning thanks for the Irish church, said, "the welfare of the church of England was intimately connected with that of its sister church across the Irish sea, and any blow aimed at the one would hurt the other. The Irish church was now, and ever had been since the Reformation, most devoted in its loyalty to the British throne, and was joined to the British people not merely by an act of union, but by a much stronger cord, that of kindred sentiment, of education, and of habits, in short, she was *eminently English in her tastes and doctrines*. Such an institution was surely deserving of the attention and fostering care of the British empire. She was *the stronghold of British security in Ireland*. Once destroy her in the blindness of party conflicts, and in the wantonness of legislative experiment, and what would be substituted for the unbought loyalty, the high-minded obedience, and the lofty attachments of such an institution. . . . He trusted in God

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whose successor, the church of England, inherits them. I believe they come partly from the state, partly from the private revenues of kings, partly from private men, all along sanctioned by the legislature; but I simply affirm that the state now has a full-disposable right over them, to take them all away, or cut them down, &c. &c.

the Irish church would never be coldly regarded by the people of England, but would always be recognized to be, as she really was, an essential element of British greatness." Why, when we read this speech, we fancy that it must come from some member of some political conservative association, whose society has just been drank with nine times nine ! And, after all, is the first, the chief, the *bond fide* purpose of the Irish church merely to keep Ireland under England ? Unbought loyalty ! with £750,000 a year ! How long would the Irish Protestant clergy be British outposts, if appointed, paid, and supported only by their own people ? Where would be their *unbought* loyalty then ? and do horn-Irishmen, whether clergymen or not, owe no loyalty to *their own country* ? to their own countrymen ?

*Earl Fortescue\* on the Irish church.*

" He thought that the present state of the Irish church was a great grievance, as its revenues were so utterly disproportioned to the number of its followers, though in that church there were a great many excellent clergymen. It was sometimes said that its clergymen, living in remote places, in gentlemanly ease and comfort, were of use to the country ; he thought just the contrary, as the poor people around compared their position with their own scantily-paid priests. He wished to see both churches put on an equal footing, and to see both attached to, and paid by, the state."—House of Lords, July 14, 1843.

*Lord Brougham† recommends the State to pay the Roman Catholic Clergy.*

" Though determined to uphold the Protestant church establishment in Ireland, he could not look without dismay at the religious affairs of that country. Was there ever a country in the world, where the state which assumed the government of that country, did not provide the majority of its people with some religious instruction ? In Austria, in Prussia, in Hanover, in almost every country, the state provided for the religious instruction of the dissenter, as well as of the member of the established religion. Our state must do the same in Ireland sooner or later, and, therefore, the sooner the legislature put a stop to such an anomaly the better. A conversation once took place between a noble friend and a Roman Catholic bishop. His friend asked ' if the government offers to pay your clergy, what would you do ? ' The bishop said, ' We should all from the highest to the lowest oppose the

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\* Late Lord Lieutenant of Ireland.

† Late Lord High Chancellor of England.

plan with all our hearts.' 'But,' said the nobleman, 'suppose we passed the measure?' 'Why then,' answered the bishop, 'we should all, from the highest to the lowest, immediately and gratefully take the salary.'—Same debate.

*Irish Anglo-Protestants.*

"We all know as well as you do, that the Union of 1801 works far better for Great Britain than for Ireland; but we support the Union *as the lesser of two evils*. Union with Great Britain, an Imperial parliament always in London, *i. e.*, an always absentee sovereign and government, great absenteeism of all our best, and cleverest, and richest men, but internal peace and order, and a steady administration of the law: an independent Irish parliament under the sovereign of Ireland, who also happens to be sovereign of Great Britain, free-trade and peace as before with Great Britain, little absenteeism, positive Roman Catholic supremacy, or (as bad) a constant struggle through the whole island of a large party to that end; MORE MONEY, BUT LESS PEACE."

*Protestantism is the cause of our national prosperity, of our honest and industrious habits, of our happiness, &c.*

Men who think so must explain a good deal that we *see* in England, which some people call a true, some a bigoted Protestant country. For example, the wilful fires of farmers' stock, all through 1843 and 1844, in the eastern counties, the terrible *malus animus*, and ignorance, and recklessness of the farm-labourers; the brutal habits of all classes of poor men and women (see Lord Ashley's speeches); the midnight ignorance of the Kentish farmers, who, within sound of the bells of Canterbury, with all its staff of rich clergymen, worshipped Thom as God; the fanaticism of the Mormonites, and Jumpers, and Anabaptists, and various religious sects, rank weeds that could only grow in a neglected garden; the periodical famines, food-riots, Queen's letter for charity, workmen's strikes, and chartist rebellions.

I believe that the poor people in England are *less happy* than in any country in Europe. They know that they were better off once, and are now getting worse. No superstitious religion throws a cloak of comfortable ignorance over their minds. The whole country is tormented by a continual food-struggle; land and money lie in masses; there are poor people, but no peasantry; wretched houses and rooms, but no comfortable cabins; over the whole scene a sickly cant of religion; every bookseller's shop full of silly religious books; societies everywhere, for every purpose, single-handed energy gone; a political

and rich church, that leans on and supports the state for its own sake, its tricks and its pompousness seen through by the people; jobbery, bribery, companies, capitalists, and policemen, everywhere; a race, a struggle, a hurry everywhere; money, money, money, at the beginning and end of everything. So much for Protestant civilisation.

BULL. Why, you have only picked out the worst points in our character.

AUTHOR. And perhaps you would have only looked at the best. Some people are happy and prosperous in every country; but as you boast so much of your great prosperity, I just wish to hold the glass to your own face.

*The Roman Catholic Religion a cause of the lazy and slovenly habits of the small Irish farmers, of their listless poverty, and of their bad system of agriculture.*

Men who think so must explain how the Belgians happen to be the most bigoted, the most ignorant, superstitious, and priest-ridden Roman Catholics in Europe, and yet at the same time the pattern of a clean, industrious, happy, small spade-farm peasantry. Mr. Nicholls (the Poor Law Commissioner), in his view of Belgian husbandry, says, "their farms are mostly from 5 to 10 acres in size; their land light and sandy, and in general worse, their climate not better than in Ireland; the people most clean, thrifty, and industrious in their habits; their clothes good, but coarse; the men in blouses, both men and women in wooden shoes; their houses clean, well-built, and with ample farm-offices, in good order, with a bed-room up-stairs; plenty of good furniture, a bread-oven, large cattle-hyre, pig-sties, poultry-loft, and dairy; their food chiefly rye-bread and milk, a mess of potatoes and onions, with slices of ham for dinner; everywhere an appearance of comfort and of industry." In their system of agriculture, Mr. Nicholls observes, "that up to six (statute) acres and more their farms are tilled wholly by hand, no plough, horse or cart; the only agricultural tool besides the spade, fork, and wheel-harrow, a small hand-harrow; the farmers only with the assistance of their wives and children, and perhaps a harvest labourer for a few days; all the land is deeply dug and trenched with the spade, their cattle are stall-fed on green food; more cattle and pigs kept than on farms of the same size in Ireland! great attention paid to the manure, especially to the tanks under the byres; the farms not their own, but under rent, about 20s. an acre; a labourer's wages about 10d. a day; an air of independence in the character of the farmers; in distress or in sickness they do not run for assistance else-

where, BUT TRUST TO THEMSELVES;\* flax the most valuable crop, which gives the women in-door work in winter."

*The Irish Roman Catholic Laity.*

How does it happen that with seven millions of Roman Catholics in Ireland, there never seems to be on any occasion, any independence of spirit in the laity *v.* the priests? Because they always agree. Nay, we know several great questions upon which a great body of the laity differ from the priests; but in cases of that kind, the former are always dumb forthwith, and give up at once. There never seems to be that struggle of opinion on doubtful points, as among Protestants, which, while *man is man*, is the only avenue to truth. For example, the question of a connexion between the Roman Catholic church and the state, and a small but certain and regular allowance from the state to the priests. The Irish Roman Catholic clergy, in 1825, wished to be paid by the state, which was then, as now, Protestant; therefore state-support is not against any rule of their church, which is, or boasts to be, always the same. Now, when the government offers to give, these clergy refuse to take any state-support. They know of course their own affairs best, and I do not stop to ask whether their refusal is right or wrong; but certainly, as a matter of fact, a great body of the Irish Roman Catholics, and, I believe, by far the best educated, think their clergy ought gladly to accept the offer. Yet in their books, and newspapers, and meetings, has there been the slightest discussion of the question, since their bishops, in the name of all the clergy, condemned the suggestion? I do not wonder that the clergy should all obey their bishops, and hold their tongues, if they do not agree with them; but is not this deadness of opinion, this slavish obedience of so many lay-millions to their priests, this suppression of all difference of opinion, which we yet know to exist, a bad and alarming feature in the Irish Roman Catholics as a body? Can it co-exist with liberty of thought and of opinion?

Bye the bye, Protestants often say, "the more the Roman Catholics get, the more they crave. Before 1829 they said all they wanted was the Relief Bill, and that Ireland would then be at peace; but there is as much or more agitation then ever."

ANSWER. In the last century there were two "ascendencies" in full force, "*the ascendancy of Great Britain over Ireland*;" and in Ireland "*the ascendancy of Protestant over Roman Catholic*." Now just as certainly as water will always find its level, so will the struggle

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\* When will this feeling, the basis of national greatness, spring up in Ireland?

continue till there is not half-and-half, but plain equality between Great Britain and Ireland, and between Protestant and Roman Catholic. In 1829 we acknowledged the justice of their claims, but only paid half of the debt.

Seven of the nine millions of people in Ireland are Roman Catholics, *therefore no plan for the permanent improvement of the people, no attempt to raise the Irish nation in its social civilisation, political liberty, and general prosperity, can succeed, which omits the Roman Catholics.*

The Protestants have done their best for 300 years, with every advantage of wealth, political power, a state church, and the friendly assistance of the landlords, to convert them to their church, *yet are now as far from that end as at the beginning.* We have no reason to suppose that the Irish Roman Catholics will ever become members of the church of England and Ireland.

*A word to the Irish Lay Roman Catholics.*

It is said (I believe with truth) that your bishops and priests are now at work with their great influence over you, in order to bring about the supremacy of the Roman Catholic church in Ireland. You know that Roman Catholic priests are brought up so young, so carefully, *by themselves*, for the priesthood, that (as all history shows us) they look more to the welfare and aggrandisement of their church, than of their country, or of themselves, or of their families. Men of the best and most generous dispositions, are the most capable of this devotion. They sincerely think that the supremacy of their church is not only the best, but an essential element of national happiness, both with a view to this world and to the world to come. Now look at Italy, at the states of the church, where the Pope is both absolute king and absolute high-priest.\* The Patrimony of St. Peter's is *the worst governed country in Italy*, and therefore of course in Europe. More people are put to death every year by the Pope's authority, than are executed in the Three Kingdoms, and in France. The soil is rich, the climate beautiful ;

\* Where the Roman Catholic religion therefore has every advantage on its side. A Jew, who knew Rome well, once said, "that the Roman Catholic religion must be true, for without God's help no religion would have held its ground so long, with so much tyranny and absurdity." The Pope is generally popular with the populace of the city of Rome, just as a rich Lord Lieutenant with the Dublin shopkeepers. Some verses on a Pope, I think Leo X., who died during the carnival, and thus stopped the fun, and had besides the character of a stingy man, will show this feeling.

"Ci tre dispetti facesti, O Padre Santo,  
D' accettare il Papato, di viver tanto,  
Di morir nel carnevale per esser pianto."

the people wretchedly poor, savage in their habits, ignorant; the government keeps back *purposely*\* agriculture, and trade, and commerce; the only roads kept in good order, are the few which bring travellers and pilgrims to Rome, in the interior of that fine country the roads are hardly passable for carts; no sign of liberty anywhere, the press not free, not a single arena of public discussion on any question; the people, and gentry, and noblemen, &c., all hate the government; every year plots and rebellions, put down in blood, and by treachery, and by Austrian assistance; the government does not blush to use any road to its ends; letters are notoriously opened by the police in the post-office; the confessions of religious penitence, elsewhere inviolate, are notoriously laid at the service of the minister of police by a degraded priesthood; no public honour, all men ashamed of their country and of its institutions formerly the most glorious in the world; the whole country seems to groan under an insidious and invisible tyranny.

All enlightened Italians long to see all Italy under one independent national federal government. The king of Rome (Napoleon's son) was their darling hope. The petty kings and princes, who now prey upon that beautiful country and noble people, keep up their local jealousies, always from time immemorial strong in Italy, to keep them weak and asunder. The whole country is undermined with numerous and violent revolutionary societies. The Austrian States in the north and Tuscany are the best governed, *but there is no sign of liberty anywhere*. What noble fruits might not the world look forward to from the skill, and genius, and courage, and eloquence of Italians, under a free, their own government! Even Greece, once conquered by their ancestors, has outstripped them in the race! Would not Italy be then the eye of Europe; its garden, the pleasant seat of its literature, of its arts?

There is a picturesque view of the Pope of Rome, and of the Italian Carbonari, in Didier's "La Rome Souterraine;" and of an Englishman's feelings in Rome in, I think, D'Israeli's "Henrietta Temple." Madame de Staël's "Corinne" is too clever, too much in the clouds. Rome is the eternal city, which the traveller, no matter of what nation, approaches with most pleasure, and leaves with most regret. As I have spoken harshly, but I think justly, of the government, I must add, that a traveller is nowhere more free, or meets with less bigotry, than at Rome. But the people are down in the dust.

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\* The deep policy of the papal government would seem to be "When once at the worst, every change must be a change for the better." Their favourite example of the dangers of the opposite policy, (*i. e.* to push forward a nation as much as possible) is the great wealth and great pauperism in England.

By the bye, no good cause was ever more hurt by its friends than the restoration of Italian independence under a federal government over the whole peninsula by the Italian carbonari in their own cities and mountains, and by the Italian refugees (Giovine Italia), always plotting and counter-plotting in Paris, London, and America, against the little tyrannical Italian governments. In London, their chiefs, Mazzini, Petrucci, &c., &c., publish a newspaper (*Apostolato Popolare*) with this absurd and most mischievous motto, “*Liberta, Eguaglianza, Unanità, Indipendenza, Unità, Dio e il Popolo, Lavoro e frutto proporzionato.*” It is no wonder that no respectable men will join a party that seeks *not liberty, but social revolution.* There is not a more just scheme in the world, or more likely of success, if well managed, than to drive the Austrians from Lombardy; to dethrone the Pope, and to leave him with a large revenue, head of the Roman Catholic as the Archbishop of Canterbury is head of the English Church; and to raise Lombardy, Piedmont, Tuscany, Rome, Naples, Sicily, &c., &c., each into a sovereign state, all under one federal Imperial Italian senate, to meet at Rome or at Bologna.

There is a wide difference between national independence and political liberty, and the false and not desirable dream, but most mischievous opinion, of social equality. *MEN ARE NOT BORN, NOR DO THEY LIVE OR DIE EQUAL.* They come into the world with different gifts from nature, and afterwards get different gifts from fortune, and again through life make a different use of them. Some die after good and well-fought, some after useless lives.

### *The Pope.*

In a pamphlet (“*Irish Questions*”) I wrote last summer, I expressed a hope that our government would soon send a British minister (of course some Roman Catholic peer) to the court of Rome, like all the Protestant governments in Europe. This step would help to bring England into harmony with the rest of Europe, and to confirm the peace of Christendom; while an obstinate adherence to the bigotry of the sixteenth century, now that all danger is gone by, is offensive to almost half the queen’s own subjects, and discourteous to the Roman Catholic governments and nations of Europe. Lord John Manners has since expressed the same opinion in the House of Commons, which I give in order to show how favourably it was received: “He sincerely hoped that our government would ere long enter into diplomatic relations with the court of Rome, (hear, hear); even if Ireland did not exist, or was quite quiet; but in its disturbed state, our policy was mad and ridiculous, (hear). Did we refuse to acknowledge the sovereignty of



Rome on religious grounds, with an ambassador at Constantinople, and when we helped to keep the Mussulman in possession of the holy sepulchre? (hear, hear.) Debate on the Irish arms-bill, June 19th, 1843.

In the House of Lords, August 17th, Lord Monteagle strongly recommended the same step; and Lord Campbell (a law-lord) observed, "that it was a great mistake to suppose there was any law in the statute-book to prevent our sovereign from entering, when she chose, into diplomatic relations with the Pope."

The "antichrist" and "man-of-sin" articles, which the measure would bring from the Oxford and Cambridge divines, would be amusing.

The Roman Catholics would of course be left to settle their own religious affairs with the Pope as they please. The English ambassador would be sent to the Italian sovereign, not to the head of the Roman Catholic church.

### *Why so much Religious Dissension in Ireland.*

The inhabitants of Ireland happen to be divided into three forms of the Christian religion: one-tenth Episcopalian Protestants, one-tenth Presbyterian Protestants, four-fifths Roman Catholics. The state gives more than half a million sterling a year to support the public religious services of the first; about 25,000*l.* a year for same purpose to the second; but not a penny to the third. What makes bad worse, the revenues now given by the state to the first, once all belonged to the third; what makes worse still worse, the first not merely differs in theory from, but must always be straight opposed to the third. The first and third are not like two men who leave a town by different roads, but like two men of the same trade, who set out by the same road, and after a while disagree and separate. What makes all still worse again, the first happen in general to be of Saxon, the third of Celtic blood: their forefathers were long at war, and the former were conquerors. Thus the Devil of Irish ill-luck has always three irons in the fire to keep asunder our Protestants and Roman Catholics:

1. Religious theory,
2. Blood-pride,
2. State-money and state-favour all on one side.

We can only remove the last; time and common sense will settle the rest.

The King of Saxony is a Roman Catholic, his people Protestants; the King of Greece is a Roman Catholic, his people of the Greek church; the King of Belgium is a Protestant, his people Roman Catholics; the people in Schwytz, Uri, and Unterwald, the three best and oldest

cantons in Switzerland, are Roman Catholics ; in Berne, Pays de Vaud, Geneva, &c., &c., Protestants ; Monsieur Guizot, the French Premier, is a Protestant, the French are Roman Catholics ; in Germany, Switzerland, Belgium, France, Protestants and Roman Catholics agree well together, and meet on equal terms in society. Why not in Ireland ? There are *pocket-reasons* which keep up the dissension.

*A Death-blow to Politico-Religious Dissension in Ireland.*

Suppose the state appointed "a Commissioner of Public Religious Services for Ireland," some man of high character, with a salary of 2,000*l.* a year, a good office in Dublin, and four assistant commissioners for the four provinces at 300*l.* a year each.

"NOTICE.

"*The Commissioner of Public Religious Services in Ireland* will pay all clergymen of the Episcopalian Protestant, Presbyterian Protestant, and Roman Catholic churches, the following annual salaries, in each case when the Commissioner receives the following paper :

'We the undersigned                      \* heads of families attend the public religious services of our church in the church of                      , whereof the Rev.                      has been appointed minister by the proper authorities of our church.'

"All Episcopalian and Presbyterian Protestant clergymen paid by the state will receive £                      a year ; all Roman Catholic £                      .†

"The commissioner will require the following signatures to every congregational paper for state support :

1. Of the religious minister himself.
2. Of the                      , ‡ as witness of the *bonâ fide* existence of the undersigned.
3. Of the Archbishop of the diocese, (where the minister is Episcopalian Protestant or Roman Catholic,) of the Synod of Ulster, (where Presbyterian,) as proof of his lawful appointment within his own church."

\* *Episcopalian Protestant, Presbyterian Protestant, or Roman Catholic, as the case may be. I leave the minimum number a blank ; too small a number would put the state to too great expense ; and too high a number would leave people in some places, where there are few of their own creed within reach, without any state-support, i. e., where most wanted.*

† *Roman Catholic priests, as bachelors, could live as well as Protestant clergymen on one-third less salary.*

‡ *Some county civil officer.*

"The commissioner will not require any further information, or any pledges of any kind from the clergyman.

"The commissioner relies with full confidence upon the public opinion of this free country, as a guarantee that this state-assistance will be received and spent in the same peaceful and liberal spirit as given. Her Majesty's ministers well know that the state has no particular skill to discern which is the right faith; nor any power over any man's conscience; nor any right by the laws of this realm to meddle with any man's religious opinions; but, responsible before God and man for the good exercise of their high authority, they wish, for the glory of God and for the good of man, to give all the people in Ireland an always-easy access to such public religious services as each in his heart thinks will most please God."

Now could not a plan of this kind be set at work to the satisfaction of all honest men? The state of course would take up *all* the revenues of the Irish church, as their present possessors die off, and would leave all houses of worship to be built and kept up by the people who use them. The salaries would be ample. A poor clergy are always mischievous and fanatical, or idle and ignorant. Ireland would be then at peace. All religious ministers, who had any flocks to listen to them, would draw their regular salaries in peace. Neither priest nor clergyman would be discontented with the state, or at loggerheads any longer. Or if so, what matter? Who would then listen to and follow them?

All statesmen know that in Irish ecclesiastical affairs one point at least is certain: *they cannot last long in their present state.*

The popular remedies are,

1. The voluntary system. No state-support to any church, as in America. *It degrades all religious ministers, and, through them, all religions. It keeps the whole country always in hot-water.*

2. Pay all churches in ratio to their numbers. *Then you must count their numbers every now and then. What rivalry! What continual and mischievous hubbub!*

3. Patch up the Irish church, and let the Roman Catholic priests alone. *The religious ministers of the great bulk of the people must be brought into friendly connexion with the state.*

What is the grand mistake in the government of Ireland hitherto?

It has been governed as if it was a Protestant country, whereas it is not a Protestant country; we are some Protestants, some Roman Catholics, some Presbyterians.

*Honest Man.* Your plan is excellent, but it is too short, too simple, too easily understood, for the present day; if it was spun out by lawyers

to twenty-times its length, and interwoven with unintelligible phrases, and if some traps were laid here and there for future lawsuits, it would be more popular with the lawyers, and would seem more statesmanlike to the members of parliament. The system now in force is to pass a law this year, and a law every session for the next three or four years, to amend this law; which, (as every English custom is right,) is, I suppose, better than to pass a good law at once.

*Good reason why the State should pay the Episcopalian and Presbyterian Protestant, and Roman Catholic Religious Ministers in Ireland, and none besides.*

	Whole number of each sect.	Percentage of each sect to whole population.
Episcopalian Protestants .....	850,000	..... 10
Presbyterians .....	650,000	..... 8
Roman Catholics .....	6,430,000	..... 82
All the rest.....	22,000	..... —

—Commissioners of Public Instruction, Ireland, 1834. Chairman, Lord Brougham.

#### *State-payment of the Irish Roman Catholic Clergy.*

Ultra-Protestants say, "It would be sinful in us to support error." Answer, "The treasury is neither Protestant or Roman Catholic, but draws its taxes from all alike, to be spent again '*pro bono publico*,' not '*pro bono Protestantium*.' Thus the Roman Catholics would only get back their own. Besides, when you say it would be sinful in us to support error, *i. e.* what we think to be error, they to be truth, do you imply that otherwise it would fall to the ground? Their priests are, have been, and will be paid and supported, whether the state gives them a salary or not. They do not live upon air, or upon miracles. The question is not whether there shall, or shall not be Roman Catholic priests in Ireland, but whether there shall be good priests or bad, parish priests or parish demagogues. It is not in our power to kill them, or to put them in prison, or to drive them to France, as formerly, but *we can tame them*."

Ultra-Roman-Catholic priests say, "There shall be no friendly connexion between us and a Protestant government. War to the knife, and for ever! I never will take a state-bribe to stop my mouth."

Answer, "Your bishops in 1825 would have taken state-salaries, if the government would have given them; therefore, as your church is always the same, your church does not forbid you. It will be time for you to refuse, when the state asks you to give any promise. Your name has been sent in by the 'Commissioner of Public Religious Services for Ireland' as the priest of — parish. Your quarter's salary of £—

is at — bank, and will be left there till —. The state has no money to spare, and will not ask you twice. You may do what you please.”

*Protestant and Roman Catholic Lay common sense.* “It is quite plain that a state-salary does not hurt *the priest or the clergyman* in the least degree; the state can neither appoint or remove him.”

Lord Francis Egerton, in 1825, carried a bill through the House of Commons (afterwards thrown out in the Lords) to pay the Irish Roman Catholic priests the following salaries from the public treasury :

	A-year.
1,000 parish-priests; 200 at £200; 800 at £120.....	£136,000
1,000 curates, at £60 .....	60,000
4 archbishops, at £1,500.....	6,000
22 bishops, at £1,000 .....	22,000
30 deans, at £300.....	9,000
Towards a Roman Catholic lay and clerical College,	17,000
In all only.....	£250,000

We must admire the boldness, when we remember the date, of this wise and statesmanlike suggestion, which would most likely have changed forthwith, for the better and for ever, the history of Ireland. But it is better that the Roman Catholic Relief Act of 1829 has first admitted the Irish Roman Catholics to the rights of citizenship before their clergy come into friendly connexion with the state, which circumstance would else have laid them open afterwards, at least their clergy, in their just and necessary struggle for equal political rights with all their countrymen, to the charge of ingratitude; and would thus have continually embarrassed their steps, and shaken the sympathy between their laity and clergy. In history philosophy teaches by example. The bishops in the House of Lords who threw out this small and just measure in 1825, and who will soon see the Irish Roman Catholic clergymen in much higher place than it would have raised them to, have only hurt themselves and their church by their bigotry. The bishops have steadily opposed all the great and useful and liberal acts in the statute-book of the last fifty years, so that the great mass of people in this country now always think well of any measure which they get up a church-cry against. May religious bigotry always lean so much on one side, that at last it will tumble over!

But yet, what can be done? The Irish Roman Catholic archbishops and bishops in conference in Dublin, 1837, January 11th; 1841, November 9th; 1843, November 15th; have strongly declared they never would, under any circumstances, take any state-salaries.

*The Service for the 5th of November.*

Year after year, in half the pulpits in Ireland, this service gives the clergyman a handle for a violent anti-Catholic sermon. The crime was not committed in Ireland, nor is there any good reason in history or in common sense to blame all the Roman Catholics in England for the crime of five men. From its nature it is impossible they could have had many associates. Nor in England is it fair or just, year after year, to attack the Roman Catholics for the crime of a few men 200 years ago, that ought to be by this time forgiven, if not forgotten. This service is put into the Liturgy at the beginning of every successive reign, by the home-minister. Would its omission be regretted anywhere but at Exeter Hall?

*Church Convocation.*

By-the-bye, the doctrines of the Church of England and Ireland are rapidly getting into most inextricable disorder. The Puseyites or Anglo-Catholics hold Roman-Catholic doctrines and Anglo-Catholic tithes. The Rev. — Ward, rector of —, in his "Ideal Church," believes in purgatory, penance, &c., &c.; the Rev. — Pusey, in "transubstantiation," or in the still more nonsensical "contransubstantiation;" and books are written about "Christian Religious Mysteries," as absurd, as silly, as ever under the inspiration of Islamism. True religion, the humble worship of ONE GOD ALMIGHTY, will of course lose its influence upon the hearts of men tormented by such miserable squabbles. Yet people will not agree in time to the wise and sensible suggestion of the Archbishop of Dublin, a Church Convocation, and a *bona fide* system of church-government! Do they think these diseases will heal themselves?

## CHAPTER IV.

AGRICULTURE IS THE BEST, THE MOST HONEST, THE MOST<sup>1</sup> HEALTHY  
AND HAPPIEST OF ALL TRADES.—*Porter.*

Porter's plan of settlement between landlord and tenant—County land-registry offices—Provincial corn masters—The annual value of land and houses all over Ireland—A land tax.

"I, A. B., give C. D. a lease of the farm of ———, at the yearly rent of £——, for such time as C. D. himself holds all such farm in his own hands; and I bind myself, at the expiration of C. D.'s lease, no matter from what cause, to give to C. D., or to C. D.'s heirs, — times the excess, if any, of in-coming tenant's rent over C. D.'s., as compensation for the extra money's-worth, if any, left by C. D. in the farm."

———, Landlord's Name.

———, Tenant's Name.

Date ———.

———, Witness's Name.

Thus the landlord is safe. No increase of rent, nor compensation. The tenant is safe. C. D. comes with his eyes open, and takes the farm *at a fixed rent* for his life, or while he lives there; and when he gives up the farm, if any solvent farmer in the country will give a higher rent, then his landlord will be obliged to give to himself or his heirs in cash, — times (the number he had himself agreed to) that excess of rent. If C. D., therefore, makes the farm more valuable, he is quite sure of (and if he does not, he does not deserve any) compensation. He need never hesitate to undertake any judicious work, *e.g.* to drain wet fields, to level old ditches; and, if his son succeeds him, (as is the case nine times out of ten, and the oftener the better) his son will either get the use of those improvements *free* for a certain number of years, or else the farm at the same rent.

It seems to me that in the landlord and tenant question, *the legislature can only give each side the quickest, cheapest, and most certain mode to pull up the other in case of breach of contract*; any further interference\* would be most mischievous in various ways.

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\* That is, the legislature should not, in the slightest degree, prescribe such or such time, or form, or kind of contract; as different times, forms, and kinds, are required in different places, to suit different persons, different soils, &c., &c.

Landlords have as good a right to get the top of the market for their land, from men who want land, as the tenant for his beef, from men who want beef; but the landlord who looks only to money, as the link between himself and his tenants, is an ass.

Try and twist "Porter's plan"\* in every way, and it will meet every case fairly for both sides. Lawyers, of course, will always pick holes, *if once let into* any business; it is their trade: and without self-pride and honesty in the grain, and mutual confidence, *no system under the sun could work well*. This self-pride, so honourable in the Norwegian, in the Swiss, will come by degrees into Ireland, with better political institutions.

The land-commissioners are good and honourable men, one by one, but I fear their voluminous evidence will smother the question.† The consolidation of all our land laws, often absurd, often unintelligible, passed at wide intervals of time, under widely different circumstances of the country, a mess of disorder useful only to lawyers, in one good and fair "Irish landlord and tenant law" would be a most useful, a glorious measure; also an extension of the jurisdiction of the courts of quarter-session. At present it costs a landlord £50 at least to pull up a tenant for a breach of contract in a lease, as for sub-letting his farm. The excellent "Report upon local taxation in England and Wales," of the Poor-Law Commissioners in 1843, shows that the whole system of county-cess is far worse in England than in Ireland. Thirteen different county-rates in England!

#### *County land-registry offices.*

It is suggested that the government should establish a respectable office in every county-town in Ireland, for the cheap and safe registry henceforward of all conveyances, uses, and leases of land within the county.

Such registry to be a sufficient and necessary proof in all courts of law, in the case of all subsequent uses of land.

Copies of all the county land-books to be kept in a central land-registry office in Dublin.

\* The common and often just and useful custom of 'tenant's right,' in Ulster, is only an awkward and irregular effort of the people towards this plan.

† Though I think all the necessary information might have been got much more safely (in the circumstances of Ireland, where a little hope, or a word from O'Connell, would set up at once an anti-rent war in Munster) by special agents of the government, and then used by them in drawing up their bill, as in other questions; still I think, from the high character in Ireland of these commissioners, that their books of *sworn* evidence will throw most valuable light on the state of the country.



Small *ad valorem* fees of registry, and of permission to search in the said book, would keep up a respectable office and custos, without any tax upon the county.\*

This suggestion is a good horse if well ridden in parliament. Law-suits would then be neither so many, nor so dear, nor so long. People could then buy and sell *small* estates without spending half the purchase-money on the title. The country now rests on too few landlords. *There are too few stakeholders in the state.* See the changes in the laws of real property recommended by Mr. Tyrrel, in 1829 in a book so well thought of, that Mr. Tyrrel was soon afterwards appointed a real property commissioner. See also their voluminous report. The registry-offices in the counties of Yorkshire and Middlesex, the only county registry-offices in the Three Kingdoms, *for want of any supervision*, are full of abuses and of high fees. Most lawyers dislike a land-registry; in the same way, if the government, a few years before the railroads were opened, had sent a commission to ask the stage-coachmen on the Birmingham-London road, whether this new mode of travelling would be useful to the public, would they not one and all have cried out that railroads would be highly dangerous, &c. &c. ?

I wish some member of the House of Commons would take up this question. It would be a great and most useful step in itself, and a good side-blow to the old feudal ways.

#### *Provincial corn masters.*

It is suggested that the government should appoint four corn masters, in the four provinces, to publish every year the average prices of wheat and oats, in order that such landlords and tenants, as might choose to set and take their farms by a corn rent, (as in all the best farms in Scotland), might have at hand a price-list of known truth, (like the *fiar*-prices in Scotland,) and which there is not now anywhere in Ireland, that both parties would refer to in full confidence as the basis of bargains to last for many years to come.

A bill will be brought in next session about Irish corn-markets, under which provincial corn masters might easily be appointed.

#### *The annual value of land and houses all over Ireland.*

It is suggested that a standing "commission of valuation for all

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\* I will keep this plan of county-land-registry offices, year after year, before the public eye, till I get one established in every county in Ireland, for the more it is known, discussed, and examined, the more it will be liked.

Ireland" should be always kept up, to publish at the same certain period every year, the net annual value, *pro tempore*, of the land and houses, county by county, and townland by townland; such books of valuation to be the basis of *every kind of taxation*, as poor-rate, county-cess, &c. &c.; such commissioners, with the requisite machinery of a central, provincial, and county boards, (be the names what they may) to be *a system in itself*, spread over all Ireland, *quite distinct from county officers, grand juries, poor-law officers, &c. &c.*; also at certain periods in every year the books of valuation for each county to be open for public inspection, with fair notice before hand of liberty of objection in open court, and with liberty of appeal, as the last resource, to assistant-barrister at quarter-sessions, where a man still thinks too high a value has been set upon his land or house; the plaintiff, in this case, if successful, to be paid full costs.

The annual expense of such commission (paid by the state) would be small, say—

	A year.
A head-commissioner, with office in Dublin .....	£3,000
Ten assistant-commissioners, to preside at courts of objection, to look over, and give instructions to, and appoint the working valuers, at £300 each .....	£3,000
Eighty valuers (some counties would require several) at £50 each .....	£4,000
In all £10,000 a year.	

*The first cost is already over; for between the poor-rate and ordnance valuations, the commissioners, without any out-of-door work, might draw up the valuation for (say) 1845.*

#### *A land-tax.*

If we could get by degrees out of our present financial system to a land-tax, *as the source of our whole revenue*, would not our revenue be more easily collected, and more carefully spent? The landlords are, and always will, and ought to be, the legislators. We should then have no duties on foreign goods, no custom-houses, no taxes upon use, as the malt tax, the tea and tobacco, excise, &c. &c.

## CHAPTER V.

"C'EST LE VENTRE QUI GOUVERNE LE MONDE."—*Napoleon to the Child at St. Helena.*

The Peasantry in England—The Irish Newspapers—The clause which permits the Home-Minister to open private letters, and the clause which orders the Irish Police to mark all fire-arms, both tyrannical, and both useless—The Dublin Polytechnic Institution—The pith of this book—Short Dialogue between an Englishman and an Irishman.

*The Peasantry in England.*

"If we compare the present condition of the English working-classes with their condition a century ago, the quantity of food, the kind of house and of clothing which their wages could then, and now will procure them; the number of hours they were then and are now obliged to work between sunrise and sunset to earn their wages, and the kind of work; and if we also compare the present condition of the rich with their condition then, the luxuries and enjoyment within their reach at the two periods, I think we shall find that, while the latter are now far better off, the working-classes are now worse fed, lodged, and clothed, worse brought-up in schools, or not at all,\* harder worked and for a longer time, with less leisure, less amusement; and next session I will take some steps to inquire into the cause and remedy of their decay."—*Lord John Russell's Speech at the close of the Session 1844.* (I quote from memory.)

In England and Wales, there are "promissory notes payable to bearer" to the value of £30,000,000, and gold, silver, and copper coin to the value of £25,000,000, in circulation.

Now suppose a man borrows £1,000 from a friend, and £1,000 the same day from a bank, both at 5 per cent. At the year's end, both the

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\* "*Ignorance in Somersetshire.*—At the Quarter Sessions held at Taunton last Monday, the chaplain of the prison said that no less than 360 prisoners had come under his notice, during the last three years, who were ignorant of the name of the Saviour, and unable to repeat the Lord's Prayer; he did not mean to say they never heard the name of Christ, but they knew nothing of its meaning, and only used that sacred name in their profane oaths or conversations. If he asked them who was the Saviour of mankind, they could not tell. If he asked them who was Christ, they did not know. They were in utter darkness and ignorance as to religion; as to moral and religious duties, they were just as ignorant as the heathen.

friend and the bank gain £50; but the friend gave him £1,000 in gold and in bank-notes, the bank *in its own* notes. Thus the friend has all that time been without £1,000, while the bank only gave what was so much waste-paper without its manager's signature. Thus suppose the friend and the bank to have started fair at the beginning, and to have possessed equal sums, then the banker could have put out his real £1,000 elsewhere; and thus, *for equal capital, at equal rates of interest*, a banker, who issues promissory notes, gets *twice as much interest* as anybody else.

THE WHOLE SYSTEM OF OUR LAWS IS MORE FAVOURABLE TO CAPITAL THAN TO LABOUR.

Again, suppose in a country without "promissory notes payable to bearer," that the whole coin in circulation is £ $a$ , and that the land rent-roll of that country is £ $\frac{a}{b}$ , then if a quantity of these notes, to the value of £ $c$ , is put into circulation, the rent-roll will rise to £ $\frac{a+c}{b}$ . In this way, paper-money raises the value of everything, and thus injures the working-classes, unless their wages rise in the same ratio. The rate of wages depends immediately not on the currency, not on the price of corn, but simply on the labour-market.

Does not this *excessive* paper-system favour the rich, at the expense of the poor? Is it not one reason why in England, in comparison with the rest of Europe, the rich are richer, and the poor are poorer? In France, in Tuscany, in Switzerland, a pure metallic currency,\* the peasantry well off; thus a metallic currency is certainly quite compatible with general prosperity. In Ireland, all paper-money, hardly any gold in circulation; the notes chiefly belong to English bankers or bank-shareholders, therefore a continual invisible drain upon the country.†

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Is it not strange that such immense sums should be collected for foreign missions, and so little done for our poor ignorant peasantry? Not only the farm-labourers, but many of the men employed in the iron-works and collieries, are as ignorant as Hottentots; it is fairly calculated, that full one-half of the men employed at Welch iron and coal works never go to a place of worship."—*Bristol Times*, 1843.

\* Large sums of money are as easily paid in France as in England, by bills of exchange and by banknotes, but not payable to bearer.

† The debates upon the Bank of England Act of 1844, plainly show, that if Sir Robert Peel stays a few years more in office, Scotland and Ireland will be drawn into the same paper-money system as England; London will then be more than ever the money-centre of the Three Kingdoms. People often say that paper-money, convertible into specie, (1) cannot do harm, (2) and is a great convenience. Now it is always liable to panics, which do come every ten or twenty years with the most ruinous widely spread disorder; next, it does not alter in the least degree, much less add to the real value of anything; e. g. a day's wages will still buy, or exchange for, just as much bread and meat, &c. &c., (*ceteris paribus*)

*The Irish Newspapers.*

The next great step in social civilization will be to publish newspapers with the names of the authors of every political article. It is now felt everywhere. 1, that newspapers do much mischief; 2, that they might be the channels of much more public usefulness; 3, in short, that some point is wrong in their system; that they do not continue to do as much good as reasonable people expected from them. Liberty of the press is a noble and powerful engine, that ought long since, if well directed, to have driven away the clouds of ignorance, of party-spirit, both political and religious, which still hover over regions of this country.

But newspapers will work their own reformation? A newspaper on the A side insinuates some false calumny against the B's, which a B newspaper immediately and plainly shows-up. Will the A's therefore give up their newspaper? Three-fourths of the A's will most likely never see the answer to the calumny. Besides, men readily pardon a little flattery, a little exaggeration, in their own favour, a little malice against their enemies. The press may be a two-edged sword, but the blades do not meet. Each spreads its opinions, right or wrong, over its own ground, or perhaps is rather the image, the mouth-piece of its own party. I lately looked over a file of the *Pilot* (Dublin) newspaper for 1843 and 1844, to draw up a list of the Repeal-rent; why, a stranger would suppose, from the heads of the paragraphs, that Ireland had all that time been on fire, in a state of civil-war.\*

It is suggested to establish, by shares, "The Irish Newspaper," with a good well-educated editor, on the following plan:

1. Only Irish news; with good and known correspondents in the various Irish counties and large towns.

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whether under a paper or metallic system, though in the one case the money-value may be, say 30 pence, in the latter only 20 pence. But it is easier to pay £30 in bank-notes, than £20 in coin? Certainly; but pray remember that a metallic currency always promotes habits of thrift, of forethought, of steady economy; while a paper-and-coin currency promotes wild speculation, rash enterprises, &c. &c. A paper-system always works badly for the great mass of the people who live by their labour, and from its nature it must always be much under the control of the government of the day, (just look back at Pitt's time) which is attended by several great disadvantages; and it accelerates that tendency to the centralization of a country's government, business, &c., &c., in large towns, which has always hitherto been the forerunner of the decline of empires.

\* The violent newspapers too, upon each side, are read by the classes of people just the least likely to see their errors. Hence, too, the only practical argument against a newspaper of this kind, (namely, set up to extinguish error, &c., &c.,) that moderate people do not want, and that violent people would never look at its observations.

2. To publish always the best, the cleverest articles in the Irish newspapers, and of English and foreign newspapers and authors on Irish affairs, with a short refutation of their errors, where necessary, in a note.

3. To publish all original articles with the author's name.

4. To take in no advertisements.

5. To aim always at brevity; the sheets to be all of the same size, but as few as possible, more or less, as the quantity of "news;" the price, to be so much a sheet.

These two last rules would seem, at first sight, to be straight against the interests of any commercial scheme, which the establishment of a newspaper is in a certain degree, as it requires a large outlay from shareholders, who will want interest for their money. *But, the shorter, the smaller, the clearer the newspaper, the more subscribers, the more copies.* I think a three-days-a-week newspaper (Dublin) of this kind would be taken in by 20,000 families in Ireland, and by 5,000 families elsewhere. Its annual price might, on an average, be 10s. It would not require much paper and print to give all the news of every kind in Ireland three times a week, once the editor did not desire to stretch over and to fill up as large an area as possible, but to compress all in the smallest space.

But the great the special advantage in a responsible newspaper is that authors would be careful to tell the truth, to give good information, to defend their own and to attack the opposite party of course as forcibly as possible, but without calumny, without exaggeration, in articles with their names at the bottom. *LAISSEZ-FAIRE.* Why, are there not hundreds of men of substance, and of education too, who speak violence, calumny, trash, in the House of Commons and elsewhere? How can you then suppose that shame, which does not keep their tongues in order, would keep the pens of needy editors of newspapers within due bounds?—*A.* Yes; but who would give £3 a year to read their speeches? An editor of a newspaper must keep up its circulation, or its shareholders will dismiss him. Now, I maintain that the public will often read and like anonymous trash, and slander, and violence, while it would turn away in disgust from the same, with the author's name, John Thomas, or William Jones, at the bottom of the paragraph.—*L.* Well, you will find that a responsible newspaper would be dull, stupid, and spiritless. Anonymous authors can use a certain license in their observations upon public men, upon last night's debates, &c., &c., which is (within due bounds) both useful and agreeable, but which a responsible author would hardly venture upon.—*A.* All the better for the public. Newspaper scribes should take more pains

with their articles. But I think in this country every fair weapon is freely left in an author's hands to support his own, or to attack and to pull to pieces his neighbours' opinions, especially in political affairs. *L.* Well, then, how does it happen that no responsible newspaper has ever yet been started in Dublin, or in London, or in Paris, or, if started, has fallen to the ground?—*A.* Why, this great step must come in its inevitable place, as in every branch of civilization. Besides, a newspaper without advertisements, and that will give all its intelligence in the smallest space, in short, that will only cost about 10s. a year, will require a wide basis of circulation, which has only come into existence of late years. Twenty times as many people now read newspapers, as twenty years ago. Again, newspapers, for a long time, were the banners of liberty, *i. e.* of the people against the various forms of political tyranny (against the crown.) There is no longer any danger in this country, at least from that quarter. The political and social evils of the day are excessive centralization of all the branches of government; and pauperism, a struggle for food among the poor. There cannot be more political liberty than at present; therefore of course the next revolution will be social. The votes, under the Reform act, have not given people a fair day's wages for a fair day's work; therefore they will want land.\* Pauperism, *le mal Anglais, le mal de civilization aristocratique*, is at once a proof of our free government, under which people have become so numerous, and of our bad social institutions, which, in due time, it will certainly bring into harmony with the more natural institutions of France, Germany, America, &c. &c. People die of hunger in England, not as elsewhere, or as formerly in England, because from a bad season, &c. &c., there is too little food in the country; but because it is in too few hands.

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\* The field-gardens of Young England will grow into small farms, and the farm-labourers into a peasantry. The feudal laws which still tie up land in England in a few hands, will be quietly, cautiously, slowly, but certainly attacked, undermined, repealed. The whole system of institutions which called them forth, is gone into decay. Foreign governments have long since been obliged to alter or to give them up, and only peculiar circumstances (the wide field of employment in our manufactures and in our commerce) has kept them up beyond their time in these islands. By the bye there are two horrible contrasts in England, (1) between the excellence of the agriculture in the large-farm system, and the stolidity of the farmers, and brutal manners of their labourers; and (2) between the great political liberty in the laws, and the wide interval in life between the rich and the poor, between the justice of the peace and the pauper, in manners and in opinion, as well as in circumstances. In Russia and in Austria the poor are not so servile in their manners to their landlords, as in the English counties.

Advertisements have no business with political intelligence, but ought to run in channels by themselves; people are weary of the overgrown columns of the *Times*. Again, observe in newspapers, as in mechanics, "a body once set in motion, can be kept in motion with little force, with little genius." The rubbish that satisfies the public in anonymous articles, would not pass muster with its author's name at the end.\* People would require a better style, a higher tone of thought, and more accurate information. The world is tired of the never-ending, still-beginning tricks of the great "We," who often know so little about the matter in hand; but, as they write in the dark, can meet with neither praise or blame.

### *Letters.*

The clause in the Post-Office Act, which permits the Home Secretary to open such and such letter, which some traitorous spy about the writer has told him will be put, on such and such a day, into such and such post-office; and when in his own opinion, it is necessary, *pro bono publico*, that he should open that letter, is liable to the same fundamental objection, as the clause in the Irish Arms Act, which orders the police to mark and to number all fire-arms, namely, that it does not, cannot, and never will accomplish its end. Both are special, both tyrannical measures, easily open to great abuse in their execution. They both fail in this essential point, that they do not fulfil their end; but, on the contrary, rather encourage and promote and give rise to the crimes they are designed to prevent. For example, A, B, and C are in some traitorous conspiracy against the state; one of them betrays his comrades to the home minister, who then opens their letters, &c. &c. Then, for the future, D and E, F and G, and all conspirators correspond by secret channels, or through disguises in the post-office. But the home-minister seals the letter up again, and sends the letter to its address? Nobody knows that it has ever been opened? Yes, the spy; and there *must be* a spy in the case. It is a trick, that if often used, is sure to be soon known, (as in Mazzini's case,) and to become useless; and if not often used, of course cannot be of much use; therefore why keep up a clause always likely to do more harm than good? How easily, too, could traps be laid for the government that pries into people's letters. It does not appear from the Report of the Select Committee of the House of Commons, that in 200 years

\* In the one case, the newspaper, *i. e.* a non-entity; in the latter a known man, John Thomas, or whatever his name may be, is wrong, and responsible for his error.



it ever prevented a great crime, or ever gave the government any useful information about the enemy.\* Ministers say "we cannot get on without the same powers as our predecessors for a long time back." In the same way a French minister would say, that passports were necessary for state reasons and for public justice; yet, in England, without any passports, where there are ten times as many crimes on the same space, and much quicker modes of conveyance, are not criminals of every kind brought up to justice more surely than in France? Only a few years ago, young Napoleon went from the Thames in a steamboat full of soldiers, and *almost* raised a civil war in France. Hundreds of letters about this enterprise must have passed through the post-office, yet as there was no traitor among his friends, the government only heard of his plans when all was over. But the worst crimes (as to shoot, to stab, &c. &c. a king, or minister, to burn a house, &c. &c.) are, by single men, fanatics, madmen, without accomplices, and who therefore write no letters. As this clause cannot *prevent*, neither can the Irish Arms Act *discover*, a crime. It applies, of course, only to crimes by fire-arms, not one-tenth of the crimes of violence in Ireland, where a stick or stone is the more common weapon. Fire-arms are so small, so cheap, so common, easily hid, or bought, or stolen; but the reasons are so plain and numerous to common sense, that I will merely state the fact, that this Act, with all its expensive, troublesome, and most offensive machinery, has not brought a single murderer to the gallows, while it is a constant source of irritation, of party spirit, and of that *malus animus* which gives birth to those horrible crimes. It certainly has not been put in *bond fide* execution in Ireland. It is fearful to imagine how much blood would be shed, especially in the south, in case of that attempt. But it is not an offensive Act to peaceable men? Then why not pass a similar measure in England, where there are far more horrible crimes than in Ireland, where, within the last few years, in London (1830), in Bristol (1832), in the Midland Counties (the Chartists), and in Wales (1843), the people have fired on the soldiers?

NOTE.—If ever the public safety should require the minister to break open a letter, let him do so at his own risk, and come to parliament for indemnity. The case, if good, will be his excuse.

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\* Is it not horrible to think that in this free country this infamous clause has been often used against poor Polish and Italian exiles, who came here in confidence in our honour, and about quarrels which do not in the least degree touch us?

*Dublin Polytechnic Institution.*

It is suggested to establish, in Dublin, in the Metropolis of nine millions of people, a good and permanent Polytechnic Institution, to answer the same purposes in Dublin, which the Polytechnic Gallery, Regent Street, and Adelaide Gallery, Strand, answer in London, namely, to exhibit to the public, for a small fee of admission at the door (one shilling) ALL THE MOST INGENIOUS, THE MOST USEFUL CONTRIVANCES, IN THE ARTS, AND TRADES, AND MANUFACTURES OF THE HIBERNO-BRITISH EMPIRE.

It is suggested to establish this now much-wanted institution by 500 shares of 5*l.* each; no person to be permitted to buy more than ten shares. The first establishment, and afterwards the management of the institution, in conformity with certain general rules to be first laid down by a majority of all the shareholders, to lie wholly in three governors of the Dublin Polytechnic Institution, to be chosen at the first general meeting of the shareholders, by the votes (either *vivâ voce* or by letter) of their majority; one of the governors to retire from office every year, when the shareholders will either choose him again, or any shareholder, to fill up the number of governors to three. The secretary to call, for this purpose, one general meeting of all the shareholders on the first Saturday in each year, when also a printed account of the whole income and expenditure of the company, item by item, during the past year, from 1st January to 31st December inclusive, with a catalogue of the machines in the rooms of the institution, and with the report of the governors, upon its state during the past year, will be laid before them. The expenses would be (in a rough sketch)

## FIRST YEAR.

• The Three Governors .. .. .	£72*
The Manager and Secretary.....	200
Two Professors of experimental philosophy, 200 <i>l.</i> each†	400
A doorkeeper .. .. .	28
• Rent of house.....	300
Outlay in fittings-up, in models, &c.,.....	3,000
	£4,000

Every year afterwards, about £1,000.

## INCOME.

Two hundred visitors every day, on an average, a year £3,120

\* Two guineas each, on attendance at their monthly meetings. Business is never well done *gratis*, witness the members of parliament.

† Some first-rate young Irish chemists, who would give each three lectures a day, an hour each lecture, upon chemistry, the steam-engine, electricity, explosive mixtures, atmospheric engine, railways, &c.

No metropolis at the present day should be without some institution of this kind. In Dublin it should stand upon a broad basis of shareholders from all parts of Ireland, and never fall into any clique of manufacturers, or into a lounge for children.\* At "L'ecole des arts et metiers," in Paris, there is a most curious chronological exhibition of the various steam-engines, from the first rude attempts to use steam as a power, some sixty years ago, to the wonderful steam-engines of our own time; and every fifth year there is an immense exhibition of all French manufactures of every kind, brought to Paris at the expense of government, and exhibited gratis, when the King gives away vast sums in prizes.

Ireland is just at a crisis in her history when she wants a national institution of this kind.

The Polytechnic Institution (London) was established by 100*l.* shares, upon which 90*l.* has been already paid, and they sell in the market for 110*l.*, *i. e.*, at 20*l.* premium. 35,000*l.* was raised in this way. The house and fittings up (before of Mr. Nurse) cost about 18,500. In Dublin we would have the advantage of the experience of this excellent institution to avoid several useless expenses, in the size and shape of rooms, &c. Persons who pay one guinea a year can always enter free.

The public have there seen with every advantage, Armstrong's hydro-electrical machine, the electrical telegraph, the diving-bell, large galvanic batteries, all the contrivances in steam-engines, in wind, and in water-mills, and in cotton-mills, &c.

In the Polytechnic Institution, I believe all the steam-engines, &c., have been *given* to the institution by their manufacturers, in order (with their own names and addresses) to be seen by the visitors. Thus the rooms of the exhibition are filled, *without any expense to the shareholders*, with models of all the new and most ingenious machines, which would of course be the same case in Dublin. I think there are two faults in the Polytechnic Institution, which might be avoided in Dublin. (1.) There are a great many objects (see the catalogue) in the rooms, as specimens in natural history, prints, pictures, antiquities, &c., which do not belong to the useful arts, trades, and manufactures, and only fill up the rooms, and break the attention of visitors. I believe they have been put there to draw children, women, &c., who might just as well or better stay away. (2.) I think there ought to be

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\* It is also desirable that it should be, beyond all competition, the best institution of the kind in Dublin, and thus draw to its doors *all* the strangers, &c.

large sectional models in wood of the different contrivances, one by one, in the steam-engine, in wind and water-mills, &c., which would not cost much, and would show the nature of the machine much better than the well-finished models at work; for while the steam-engine, like a man's body, is alive and at work, we can only see the outside, we cannot understand the cause of the various movements till we take the whole machine to pieces. I also think the whole exhibition might be arranged on a more scientific plan; in one room, for example, the various mechanical powers and movements, the various modes, for example, of getting perpendicular from circular and from vibrating motion, &c. Then in one room, wind, and water, and steam, as sources of mechanical power. Then in a third room electrical instruments, &c.

The Royal Dublin Society *might*, in some of its large rooms, set up a good institution of this kind; but I fear the suggestion is too useful, too popular, and the society too old and too rich.

### *The Pith of the Book.*

Some people say, "we must get on as well as we can with the Union of 1801. The Imperial parliament would never agree to a federal Union, we only lose our time in that question."

ANSWER. The federal party must grow year after year, not in Ireland only, but on both sides the channel, for a federal Union is fair and just, and would be better for the people in Great Britain, as well as in Ireland, than the clumsy parliament of 650-odd members in the House of Commons, that passes seven months every year at Westminster. The plain, straightforward, and certain way to bring about the federal Union, is to put the question before the Irish public in every light, to appeal to their common sense, to their national pride and honour, in short *to get up a strong opinion in its favour all over Ireland*, especially among the middle classes, that will send some 70 federalists to parliament, *i. e.*, in College-Green.\* In order to govern ourselves and our own affairs, it is only necessary for us all to agree at home, and to choose at least a large majority of federalist members. Upon one small class, the rich who can live in London in the sunshine

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\* By the bye, when Great Britain and Ireland has each its own parliament, only for its own business, that parliament need not sit more than three months a year, at the outside, which will be a great advantage both to the members and to the public, over seven months. I hope these parliaments will also sit only till 4 o'clock in the afternoon, like the French Chamber of Deputies, the Norwegian Storting, &c. &c. and with public galleries round their rooms. Night debates till 1 o'clock in the morning, with half the members half asleep, are not, and cannot be, so good for the public service, as daylight before-dinner discussions.

of an imperial court, all argument would be thrown away. *But the federal agitation must be slow, constitutional, no absurd monster-meetings.* But what will become of the four millions of O'Connellite Repealers? Why, they are, or will become, federalists. The old house must be pulled down before the new house can be built up. Though we cannot approve of O'Connell's *modus operandi*, yet we can sow seed in the ground that this wonderful man has ploughed up. The Irish electors, under the present law, do not fairly represent the middle classes and the farmers. *There must soon be a bonâ fide, just Irish registry-law. It cannot be put off much longer; then there will be a great change in Ireland.\**

But when you write about Ireland, why do you not always keep on, and support, one side; you sometimes praise and blame both sides?

I reply, that there is good and bad on both sides, which only blind bigotry would refuse to acknowledge; that I do not wish, like a lawyer, to put forward only all that can be said in favour of my own, and against the opposite, side, but to lay the whole case fairly before the public judge, as I wish above all to lead Irishmen to *think* of their duty to their country in its circumstances, and firmly believe that the more discussion, the better for the ultimate success of justice, which is all I aim at; besides, men will not listen to an advocate who is blind to, or does not acknowledge, the advantages on their side (which, of course, are always uppermost in their own minds); but when they see a man fully just to themselves, sensible of the good on their side, yet who strongly thinks there is far more good on his own, they may, perhaps, then *inquire calmly* into the whole case.

\* I see nine millions of people in an island, always quarrelling among themselves. When we read in history of civil dissensions between the citizens of some town, or the people of some country, do we not always add in our minds, "what fools they were!" We also always see that some state in the neighbourhood got great gain from their loss. History will say just the same of the people of Ireland.

\* While I quite approve of Sir Robert Peel's just measures, yet I must observe that they only strengthen his enemies' hands. They do not, in any degree, draw the Roman Catholics towards England; only a despotism, or a strong church and state keep-your-powder-dry alliance between the English and Irish Protestants could keep Ireland much longer under England. The better Ireland is governed, the more will she want native independence, while they now cannot, dare not step back to Protestant ascendancy. In short, if England wishes to keep Ireland, she must conquer Ireland again by the sword, a task now beyond her strength. Ireland is too old and too cunning for soft words.

*The United States of America.*

The congress meets every year at Washington, and manages only the foreign affairs of the whole Federal Union. Each state is sovereign over its own land. The congress consists of two houses, a Senate and a House of Representatives. Each State sends 2 Senators, chosen by its legislature for six years; and 1 member to the Lower House, for every 70,000 inhabitants, chosen by the people in districts, one by one, of that population. The 26 States thus send (now to the 28th congress) 52 Senators, and 223 Representatives, which is an average of 9 apiece; but the populous State of New York, *e. g.* sends 34. The President of the United States is chosen every 4 years, in a way so curious, so complex, that, as well as for all state-constitutions in full, I must send you to "The American's Guide," 5s. In 1840, there were in the United States more than 14 millions of white, more than half a million of free black, more than 2 millions of slaves, in all more than 17 millions of souls, spread over 1,800,000 square miles. (Ireland contains about 30,000.) *The government which keeps life and property safe over so great an area, and under which the people have increased from 4 millions in 1790, to 17 millions in 1840, must, in its circumstances, be good.*

Observe, each State is sovereign over its own land, and manages all its own affairs. The judges are not appointed by the people,\* but by the legislatures. All state-officers, governors, judges, senators, members of parliament, are all paid by the year, or by the day. I give this table, to throw light upon the most wonderful Republic that has ever existed in the world. The great variety of the constitutions of the several States, and their *bond fide* sovereignty over their own land, is, I think, the secret of the strength of the United States.

One of two events must happen in Ireland: 1. The strong, widely-spread daily-increasing agitation for national independence will come to a successful issue;† or, 2, it will struggle violently for some years, and then die away by degrees. In either case, there now must certainly be, *for a long time*, a strong national party at work in Ireland, which,

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\* Except in Mississippi.

† It cannot be too often, too clearly shown, that *only* premature violence on the side of the national party, violence in language or in action, or extravagant and therefore ridiculous views of benefit from the success of their plan, (which would first bring the lower classes into the agitation, and afterwards disappoint them,) or treachery and disunion among themselves, can now stand between them and the establishment, *after perhaps two general elections from this time*, of an independent parliament in Dublin.

whether successful or not, will on the whole be of use to the country. But history will hold the present ministry responsible for all this agitation. In 1841 the Peel-Tories came into office with a large majority in both houses, (while the Whigs, after the Reform Act, only had a majority in the Commons,) with the confidence of the great bulk of the upper and middle classes, and with no strong united party to oppose and embarrass them. In short, the field was their own; even in Ireland there was a remarkable lull in the national party; opposition to so strong a ministry seemed hopeless; all parties there expected immediately some useful and moderate measures to relieve great and admitted evils, especially a good franchise law, as Lord Stanley, when in opposition, had justly declared that the present law required immediate revision. People said such and such measures were *impossible*\* with the Whigs, who did not enjoy the confidence of the Established Church; but now the Tories have the ball all in their own hands. People thought that the sad errors in the execution of the Poor-law would now undergo a rigorous investigation; that that excellent measure would be brought more into harmony (its only chance of useful success) with the interests, wishes, and even prejudices of the landlords, farmers, and poor classes; that the great stream of ignorant, desultory emigration, year after year, would, with the assistance and with the good information of government, be now directed into channels more useful to the mother-country, to the colonies of the Hiberno-British empire, and to the poor emigrants themselves; that the old, often unintelligible, Irish land-laws would be now drawn up in one clear, short, intelligible act, for the common interest of the persons who let, and who hire land, and of the country at large; and lastly, that the untoward difference of opinion between the state and the state-church in the matter of national education, would now be arranged in a way honourable to both parties, and just to the Roman Catholics.

These great measures were all *possible* then; all sensible men in Ireland expected and desired them, and public opinion from every side would have helped the government in any fair attempt to carry them. Now, during these four years of office, what have been the most remarkable Irish measures of this strong, able government? Their

\* I happen to know that the Whigs would never have brought forward such Popish measures (to use the language of the day) as Sir Robert Peel in 1844. Did ever any pack of schoolboys play "follow the leader" better than the Tories with Sir Robert?

great, *their own measure*, has been an Arms Act, *with a childishly-silly, utterly useless, and most tyrannical clause*; which no government ever did, could, or will pass in England\* or in Scotland.† Then in the last session, when the national party is getting stronger and stronger every day, come two excellent sop-measures, “the Charitable Donations and Bequests Act,” and Lord Beaumont’s “Roman Catholic Penal Acts Repeal Act,” without the grace, the dignity of measures passed, as soon as possible, on the simple ground of justice; but with all the tardy awkwardness of concession-tricks to bribe public opinion. Just imagine how different would now be the state of Ireland, if, since 1841, a man who understood Ireland, like Lord Plunkett for example, in the vigour of life, had been Lord Chancellor, in place of Sir Edward Sugden; ‡ and if a man, politic, statesmanlike, awake to the circumstances of the day, like Sir Robert Peel, when formerly secretary in Ireland; or clever and energetic like Lord Stanley; or frank, open, and in earnest, like Lord Morpeth, who would have won esteem everywhere, had been Irish secretary in place of Lord Eliot.§

This golden opportunity of good government, which fortune only offers at wide intervals in Irish history, is now gone by. Warm friends have become indifferent lookers-on or private enemies; still silent foes, that had thrown aside their arms in despair, are now up in every parish in Ireland, active, and full of hope. Measures which then could have been easily put in execution, and with good effect, will now be received with distrust or indifference.

For example, in my own humble case, (and “*ex uno disce omnes*,”) when O’Connell started the Repeal movement in 1841, it seemed to me to be so utterly hopeless, as to be quite absurd. I thought O’Connell might as well have tried to bring the Irish language again into use. It had

\* A Parliamentary Report has just come out, which shows that between 1833 and 1844, there have been, in England and Wales, 41 inquests on gamekeepers found dead, and verdicts of “wilful murder” in 26 of these cases; and that in the year 1844 alone, 4,529 poachers have been convicted at petty sessions and at assizes.

† So much for equal legislation for Ireland and for Great Britain.

‡ An Irish Lord Chancellor must be a statesman as well as a lawyer.

§ In the debate in the House of Commons upon Lord Eliot’s Registration Bill, spring 1844, Mr. F. Shaw and Mr. French, from the two sides of the house, declared that the government had not even shown this great Irish measure, which related only to Ireland, to a single non-official Irish member! that they had not thought a single Irishman worthy to know their plan, or to give his opinion about an Irish Act of Parliament! The world will sometimes pardon obscurity, but never obstinacy without ability.



never struck me as within the bounds of possibility that Ireland could rise to a better state than of second-rate provincial prosperity under England, because I thought fire and water would as soon unite as the Irish Protestants and Roman Catholics into one nation. But the Tory-Whigs (I hardly know what name to call them) have done wonders in four years to cool the zeal of the Irish Protestants for English government; while, with common sense and in new circumstances, the politico-religious antipathy of the Roman Catholics in former times, under penal acts, &c., has of course given place to a strong, sincere desire to unite fairly with all their countrymen in a struggle for Irish independence. Thus, on both sides, that abominable politico-religious party-spirit has decayed away, which has done more mischief and lasted longer in Ireland than in any place in the world. We shall soon, thank God, be all Irishmen in public; Presbyterian, Episcopalian Protestants and Roman Catholics in private, in our own houses and churches.

The present ministry have certainly given the Irish clergy<sup>1</sup> just ground for their complaints. 1. The Irish clergy, as a body, still hold their own, the same opinion about national education as when the Whigs (Lord Stanley was then a Whig\*) established that excellent system, and all along expected that when Sir Robert Peel came into office, that system would either be changed to meet their views, or else that state-support and state-favour would be given to their own separate church-education society. 2. Sir Robert Peel took all their political support in 1841, which much helped to bring him into office, but never undeceived them in their expectations then, which he certainly has not fulfilled since.

Now, if some deference had been shown to this most excellent body of men, the Irish clergy, (whose prejudices naturally spring from their false position in Ireland, but which was established and has been all along kept up by the state, not by them); some desire to heal this rupture between them and the state, which has so much diminished the sphere of usefulness, and so much embarrassed the progress of the system of national education; some desire, for example, to know the special changes they wanted; and then, if the inconvenience or impos-

\* With Lord Stanley and Sir James Graham, no ministry ought to more readily pardon opposite views than Sir Robert Peel's. A man, of course, is a slave to an idle vanity, who thinks himself bound always to stick to the political opinions of his youth. The sooner a man, who thinks himself wrong, changes his views, the better. But it is odd to see a man, at forty years of age, an ultra-supporter in office of certain opinions with a certain party, and the same man at fifty an ultra-supporter in office of the opposite opinions of the opposite party.

sibility of these changes upon public grounds had been plainly shown to them, *i. e.*, to their bishops and most active clergymen, then (as the government in 1841 possessed their friendly confidence) their church-education rival scheme would have been either wholly abandoned, or left to a few zealots; while the Irish church would have been saved from its present awkward position, namely, of requiring that (though eight millions of the people never enter her churches) all the assistance of the state towards education should pass through her hands, which most unreasonable object she of course, and most certainly, will never get; while the state, the houses of parliament with immense majorities over and over again, and public opinion from every quarter, after full examination both in theory and in practice, have quite approved of the way the Whig government decided the question.

*Dialogue between an Englishman and an Irishman.*

*Bull.* Why do you always look to the laws, to the government, and not to yourselves, for a remedy of your evils? You should pay more attention to your farms, to your cattle, and be more thrifty and industrious in your habits, and you will soon be better off.

*Irishman.* We only wish to imitate you, to govern ourselves, Ireland; as you govern yourselves, England.

*Bull.* But in this country, people never attribute such and such prosperity or such and such misery to the parliament; they work hard in commerce, trade, manufactures, agriculture, &c., &c.

*Irishman.* Then with your views you will agree to the Imperial Parliament sitting every third year in Dublin?

*Bull.* No: quite impossible.

*Irishman.* Why, it could pass laws, and do business as well in Dublin as in London, and you did not seem to think the "locus" of much consequence.

*Bull.* No: quite impossible.

*Irishman.* Well, certainly you argue in an odd, perhaps in your national way.

*Bull.* You may depend upon me, it would be better for you to leave politics alone; the more closely Ireland is united with Great Britain, the better for Ireland. You have here the dearest market in the world for your corn and cattle. We are and always must be beyond you in

strength, in wealth, in civilization : you must look to us, and we will support and protect you.

*Irishman.* Why, free-trade does not depend in any degree on a union of parliaments, but on a union of the two nations, which I hope and am sure will always continue between us ; besides, our cheap food is just as useful to your manufacturers, as your manufactures to our farmers. We could buy much cheaper manufactures in France and in Belgium ; you could not get such quantities of cheap food anywhere. Your last observations stand on such impertinent hypotheses, that I will only reply, that Ireland will as surely catch up Great Britain as youth grows to manhood. I do not see in reason or in history any particular standard of strength as necessary for national independence.

*Bull.* Well, well, just suppose if we had a war with France—

*Irishman.* Why, if *you* go to war with France or anywhere else. I think you had better fight as well as you can ; but I cannot see why we should be always humbugged into your wars about your manufactures and about your aristocracy, with people friendly to us. I think war is an evil, a folly.\* What more silly than for the people of France and the people of Great Britain and Ireland, for example, to hire by the day and by the year a parcel of idle vagabonds, gentlemen's sons without brains, scamps of every kind, to dress them up in coarse red cloth, and to set them off over the seas, and along the coasts, and everywhere, for a year or two, shooting, stabbing, sticking one another. Then the war is over ; both sides have lost a great deal of money, that would have bought good wine, and houses, and good dinners, &c., &c. The A's won two victories, the B's three victories ; the A's have got two heroes, the brave general B, and the brave general C ; the B's three heroes, the brave generals D, and E, and F. Each side thinks its own heroes the greatest men. All fought like lions. The most sensible war is a newspaper war. It is much better to spill ink than to spill blood. All wars of civilization are got up by kings, and princes, and ministers, in hope of glory to themselves, of success to their plans. Thus, *e. g.*, it is a crotchet in a minister's head, that certain two countries (*a* and *b*) *must* be kept united in a certain way ; then a war is got up between *a* and *b* on one side, and a third country (*c*), because people, after a violent struggle together on the

\* It is odd that while public opinion in every quarter has of late years condemned the duel, or fight between two men, yet people do not clearly see the folly of the same offence multiplied by thousands, namely, war between two nations.

same side, pull better together afterwards ; or a certain powerful class in *a* stands upon ticklish ground, then a war is got up to turn public attention from them. *But one word in your ear : if any people attack us, we will defend ourselves, and God defend the right.*

It cannot be too often, too strongly laid before true Irishmen, in Dublin and<sup>a</sup> in the counties, that the cause of Ireland is to be won, *not in England, but in Ireland* ; that the national opinion is not yet wholly with the national cause ; that thousands of Irishmen are still disloyal to Ireland, before whom their country's good cause must be held up in every light, in the plain simple language of common sense and of common justice, over and over again, and in the end TRUTH WILL PREVAIL.

F I N I S.



**Bengal  
Lurkaru  
Press**

OBSERVATION



OBSERVATIONS  
ON  
LORD ALVANLEY'S PAMPHLET  
ON  
THE STATE OF IRELAND,  
AND  
PROPOSED MEASURES  
FOR  
RESTORING TRANQUILLITY TO THAT COUNTRY.

BY  
THE EARL OF RODEN.

LONDON :  
J. HATCHARD AND SON, 187, PICCADILLY.  
1841.



**LONDON :**

**PRINTED BY G. J. PALMER, SAVOY STREET, STRAND.**

I FEEL persuaded that many of my Roman Catholic fellow-subjects, wearied with the ever-recurring agitations, with which we have hitherto been afflicted, are anxious for a state of repose wherein alone the resources of our country can be developed, and her prosperity and peace promoted. They have hailed, no doubt, as I have, the accession of men to place and power, who are likely to exercise the authority with which they are entrusted, with justice and decision, to repress lawless violence, to discountenance turbulent agitation, and thus make way for the introduction of such salutary measures, as will tend to advance our commerce and our agriculture. No one will be more grieved than I shall, if these expectations are disappointed. There is no concession, short of compromise of principle, that I am not ready to make, even to the prejudices of my Roman Catholic fellow-subjects, if thereby harmony and peace could be established amongst

us. I am decidedly opposed to the measures proposed by Lord Alvanley, for restoring tranquillity to Ireland, not because I am averse to the principle of concession, but because I am clearly convinced that his propositions would but increase tenfold the diseases which they are intended to cure. Lord Alvanley, like many others who have attempted to prescribe for the evils of Ireland, is not sufficiently acquainted with either her past history, or her present circumstances. This of itself is calculated to raise objections in my mind to his proposed measures.

He has almost caught a glimpse of the true state of the case ; and had he steadily and impartially pursued the inquiry, and proceeded from men to principles, he might have been able to discover, not only the apparent and the proximate, but the real and remote cause of such evils as are peculiar to Ireland. I am not called upon at present, nor is it necessary for my purpose, to enlarge upon this ; and, following his lordship's example, I shall not more particularly allude to it, " being cautious of giving offence." There is no doubt but that the peace and tranquillity of the country is, in a great measure, in the hands of the Roman Catholic Priests ; but Lord Alvanley is far from assigning the true reason why their power has been enlisted, rather, on the side of discord than of harmony.

The irresponsible power of the Priest cannot be too strongly deprecated. I agree with Lord Alvanley in thinking that "it paralyzes the action of the laws which were intended for the benefit of all, and is incompatible with the well-being of the country to which it belongs." It is placed beyond the reach of civil law, and beyond the control of civil authority. What law, or what authority, can reach or control the secret tribunal of the confessional? All the control that the state can legitimately and safely employ, will be to prevent its exercise under such circumstances, as will lead to its being seriously detrimental to her interests. More than this the State cannot, more than this she should not, attempt. For the outward conduct of the Priest, so far as that bears upon the peace or laws of the land, he is as responsible as any other subject, and as amenable to justice; as to his religious principles, God forbid that ever, in our country, any measure should be introduced, any restrictions imposed, which might in the least degree tyrannically restrain the free exercise of thought or conscience.

Lord Alvanley states, page 5 of his pamphlet, that *he* "cannot believe that the scenes which have lately taken place in Ireland have been sanctioned by the higher classes of the Irish clergy, or (if they had authority) that they

would have abstained from interfering to prevent the great scandal that has been occasioned by them to the Roman Catholic ministry." He is much mistaken if he thinks that the Romish Priest is not in complete subjection to his Bishop, who has the strongest coactive authority to enforce obedience, not only in the exercise of his spiritual functions, but in his daily conversation. His authority, instead of being too little, is only too great, and such as is inconsistent with the enjoyment of the liberties of a British Subject. No state relation into which we could be brought with the court of Rome, could give greater force to this authority than is already given; and, instead of such a relation making the exercise of it safer for our liberties or our peace, it will only tend the more to endanger both. The most stringent laws of the Papacy, for the guidance and the government of the Priesthood, are in full force at this present moment in Ireland; and if they have not been put in execution to regulate the acts of the Priesthood, it must have been more from want of inclination than want of power and authority. That the Bishops have not been the *passive* spectators of the turbulent scenes that have been of late years enacted by the Priesthood, is too evident to require any lengthened proof; with them the tithe agitation ori-

ginated, and by their means it was prosecuted and sustained. (Vide Dr. Doyle's Letters.) In every society that has been formed for keeping up incessant agitation, whether under the name of Precursors, or Repealers, or others, we find some of the Bishops have been eminent contributors; and under them many of the priests active agents in procuring funds for their objects, and encouraging through the country that political agitation which has been so great a bane to its happiness and prosperity.

The rise and progress of our civil liberties are so intimately interwoven with the ecclesiastical affairs of the country, that it is most desirable that our Legislators, and such as are in places of trust and authority, should devote more of their attention and study to the history of the Church. I am aware of the ignorance that exists in the minds of many on this subject, and which I think Lord Alvanley's pamphlet is calculated to confirm; I shall therefore follow his Lordship in his sketch of ecclesiastical matters. It is too generally believed, that from the introduction of Christianity up to the time of the Reformation, the Religion of Ireland was that of Rome—that ecclesiastical property of every kind belonged to the Clergy of Rome, and that at that time it was violently wrested from them and transferred to

the Clergy of another church. There cannot be greater errors than these. They might be harmless were they not made the foundation of supposed grievances, and employed as a topic of inflammatory addresses, stimulating the populace to a sense of imaginary wrongs.

When the Roman Catholic Missionaries first visited Ireland, they found that the christian Religion in its purity had been professed and practised for centuries.\* The Irish Christians were under no obligation, they owed no allegiance, to Rome; they extended the right hand of fellowship to the Missionaries, but they neither recognized nor submitted to the authority or jurisdiction of the Bishop of Rome.† We find them in the seventh century withstanding, in conjunction with the British Bishops, the emissaries from Rome, and defending the tenets and rites they had always professed.‡ The grounds of this opposition, and the tenets they defended, both prove their religion to have been brought to them, not by means of the western, but by the eastern Church. Up to the twelfth century, they elected and consecrated their own Bishops, and these exercised their jurisdiction in their respective dioceses,

\* Vide Commission to Palladius.

† Vide Baronius, anno 566.

‡ Bede Eccl. Hist. b. 3rd, c. 25.

without any reference whatever being had to Rome.\* The same century that introduced into Ireland the royal authority of England, established the jurisdiction of the Pope.† Before this, tithes were paid to the Clergy, and Ecclesiastics were richly endowed with lands. The church of Rome soon seized upon these possessions, and during nearly three centuries of Popish intrusion, her efforts were directed to transfer church property from the hands of the secular into those of the regular Clergy, until the former were reduced to the lowest state of degradation. The history of this period is an important one, inasmuch, as it affords an instructive commentary upon the general policy of the church of Rome, and manifests the natural tendency of her principles wherever they are allowed to bear rule. The monasteries which sprang from the west, and those which sprang from the east, were strikingly different; the members of the latter were eminently superior to those of the former. Under the influence of Rome, the land which was previously the seat of the learned, whereunto men resorted from many

\* Letter of Anselm, archbishop of Canterbury, in Usher's Segl., page 96. See also Letters of Columbanus (O'Connor.)

† Dr. Lynch's Letter to Gerald Barry, p. 186. Joceline's Life of St. Patrick.



other kingdoms of Europe, and from whence issued men to instruct and enlighten others, became a barren waste, swarming with idle Monks and Friars, whilst it groaned to be rescued from such an unworthy and oppressive burden.

By ancient title, by civil and canonical law, the Church of Ireland had a right to assert her independence, and to regain her possessions, of which she had been deprived : nay, further, she had a right, and was bound by her allegiance to God, to shake off the imposed doctrines, rites, and ceremonies, of the Church of Rome : this was what was effected at the Reformation.

With Henry the Eighth, or his conduct, we have nothing to do :—although, under Providence, hewing out a way for the Reformation, yet, as a witness for the truth against error, he was not a Protestant. His reformation was little more than political, reaching to the vindication of the ancient rights and laws of the nation, in reference to the externals of the church. He renounced popery, yet lived and died a bigoted adherent to the doctrines of Romanism. The same fire that was kindled for the Roman Catholic served to burn the Protestant. Standing thus between two antagonist forces, he has been violently rejected by both.

The Reformation, properly speaking, began in Ireland with Elizabeth. Now what do we

find? Not the property transferred, as stated, from one set of ecclesiastics to another, but the same persons that were then in possession, except two of the Bishops, remaining in possession; consenting to, and effecting, in conjunction with the State, a reform in religion, and subscribing and conforming to the doctrines, rites, and ceremonies of the Church, as it is to this day established. Two only of the Bishops, namely of Kildare and Meath, were deprived of their sees, and this for an act of rebellion against the Queen, in refusing to acknowledge her as the supreme Governor of the Clergy as well as of the Laity.\* During a great part of Elizabeth's reign, the Bishops complied with the alteration in the service, and so far from the adherents of the Church of Rome thinking conformity a grievance, they resorted to the service of the parish churches, convinced of its "edifying and instructive nature." It would thus appear that the Established Church is the church of Ireland, both *de jure and de facto*, and that the Roman Catholics are justly considered in the same light as other Dissenters, with this exception, that with the former our differences are on the most essential points of doctrine, whilst with many of the latter, we are united on the great principles of

\* Vide History of the Church of Ireland, by the bishop of Down and Connor, chap. v. &c. 92.

Truth, and only differ as to Forms, and Church Government.

It would have been too much to expect that the church of Rome should calmly contemplate her jurisdiction and authority disregarded and rejected, so we find her putting in practice her usual plans for bringing back “the refractory Irish.”\* The following facts I take from the History of the Church of Ireland, by the bishop of Down and Connor, chap. v. sec. ii. page 285.

In 1567, the titular archbishop of Cashel wounded the true archbishop with a dagger, because he refused to surrender his province to them, and fled to Spain. In 1568, the titular bishops of Cashel and Emly were sent by the rebels as delegates to the pope and king of Spain, to implore aid against Elizabeth in favour of their religion. In 1590, the titular primate of Armagh joined with a proclaimed traitor in acts of rebellion. In 1599, the titular archbishop of Dublin came to another traitor and rebel, brought papal indulgences for all that would take arms against the English,—a phoenix plume to O’Neal, and twenty-two thousand pieces of gold for distribution from the king of Spain. In the mean time, Pope Pius 5th fulminated the bull of excommunication against the queen, and, as is remarked by a Roman Catholic

\* Vide Leland, vol. ii. page 371.

historian, “deservedly deprived her of her kingdom.” It consequently followed that the authority of the queen, and the jurisdiction and the religion of the church, were both attacked, and the overthrow of both pursued with the most bigoted avidity. It is not to be wondered at that such conduct in this and the following reigns called forth from the British government many penal enactments, which have now been happily repealed, and which I sincerely trust may for ever remain blotted out from the statute-book.

That the Roman Catholic Relief Bill has disappointed the expectations of many of its promoters, and fully realized the fears and predictions of its opponents, is now a matter of experience; in the eyes of Lord A., the two great grievances which press heavily upon Roman Catholics, and which have (as I read in p. 14 of his pamphlet) prevented that measure from producing the intended and desired effect, are the composition and practice of the Ecclesiastical Courts, and the obligation on Roman Catholics to pay tithes and church-rates to the Protestant church. The grievance arising from the Ecclesiastical court, Lord Alvanley himself admits, in page 16, has been removed, so that I am relieved from the necessity of dwelling upon it. The grievance of tithe, and Lord Alvanley’s remedy, demand a more lengthened investigation.

From what I have previously written, it is

obvious that the Established Church is the direct and legitimate successor of the ancient church of Ireland. As well might the successors of the Independents, who intruded themselves into the livings of the Church of England during the period of the Commonwealth, claim them now as theirs, as that the Romish Church, because she had violently seized on the property of the Irish church for three centuries, should now lay claim to it, when the latter has been enabled by the state to vindicate her rights. “Nullum tempus contra ecclesiam,” is a maxim of the law founded in wisdom, and a century’s possession does not, any more than a year’s, make invalid an ancient and lawful title.

As a mere pecuniary burden, especially as the law at present exists, Tithe cannot press at all upon the Roman Catholic Farmers; it is really, as it always has been, a portion of that which otherwise would be available to the Landlord. The Landlords are the *bonâ fide* tithe-payers, and, if tithe were done away in reality, as well as in name, they would alone be the gainers. The total amount of tithe payable to the Clergy of the Irish church amounts in round numbers to about 300,000*l.*; of this the Landlords in fee that are Roman Catholics pay only about 14,000*l.*,—so little grounds have they for asserting that the Established Church is supported in whole, or even chiefly, by the Roman Catholics. Indeed, under the existing state of the law, the Tithe is

already scarcely noticed by the majority of Tenants. In a short time, if left to themselves, the name of it will be almost forgotten, and unless some strange Revolution takes place, there cannot be any successful agitation in regard of it. Some such measure as that which Lord Alvanley recommends, is the most likely means of producing such an unfortunate result.

“ *The first step that must be taken,*” says Lord Alvanley, in page 25, to “ obviate” the evils arising from the exercise of the temporal and spiritual power of the Priests, “ and to lead to a peaceful and honourable arrangement of the differences which have so long agitated and divided the two countries,” is “ *a measure for the payment of the Irish Roman Catholic priests.*” By this measure his lordship seems to think that the grievance of tithe will be removed, in consequence of the Roman Catholics being relieved from the burden of paying their own priests, and these also will be deprived of that power, which, as “ creditors over debtors, they wield with such pernicious effect.” I am convinced that the proposed measure will effect none of the purposes Lord Alvanley has in view.

The payment of tithes is, according to Roman Catholic principles, a religious duty enjoined upon Roman Catholics by the Council of Trent, and by the popular catechisms in which the people are instructed, with this addition, that the payment be made to the ~~lawful pastors.~~ *lawful*

Christian Doctrine.) The *grievance* of tithe is not the pecuniary amount, nor that in addition they have to pay their own Pastors ; but the fact, that they are obliged to pay tithes at all to the Ministers of an heretical sect. *Whatever* equivalent may be given to the Romish priesthood, still so long as the tithe itself is withheld ~~from them~~, the church of Rome will be dissatisfied with its appropriation.

Lord Alvanley can be little aware of the state of Ireland when he speaks of “ a debtor and creditor ” account between the priest and his flock. There may be, and I doubt not there are amiable men in the Priesthood, lenient and considerate towards the poorer members of their Flock, whose destitution may touch their feelings ; but, *in general*, whatever else may remain unpaid, the annual dues and the occasional fees must be paid on the spot. A creditor who has the power of casting his debtor into prison, may use it as a means to force him to his terms ; but a Roman Catholic Priest has not this power, nor does he require to use the authority which the relation as a creditor might give him over his flock. His is a spiritual power which requires no legal enforcement.

Supposing that the Priests receive a stipend in lieu of their customary dues, will the people be in the least relieved ? I am firmly convinced they will not. No provision can be made for dispen-

sations, and indulgences, and reserved cases. Cannot these be indefinitely multiplied, and with them corresponding pecuniary burdens? In Roman Catholic countries, where the Romish church is established, this is the case, and the exactions consequent therein enormous and oppressive.

Monasticism is the perfection of the system of Romanism. It is the heart towards which the whole circulation tends, and from which it flows again to give life and energy to its extremities. The monastic orders have been justly called the "standing army of the Pope;" they are regarded with peculiar favour by him, and have received from him peculiar encouragement. Ready access to the highest offices in the Church is given to such of the Monks as distinguish themselves by talent and zeal. The Pope gladly establishes Monasteries, and increases them wherever and whenever he has power so to do. Since the year 1814, under his patronage, they have rapidly increased in Ireland. The Monks have been always regarded by the Roman Catholic populace with the most superstitious reverence, and the administration of the offices of the Church in their hands esteemed peculiarly sacred and beneficial. Already a considerable traffic is carried on by the Brethren, in holy Candles, and Beads, and Relics, and Gospels,



and the only restraint to a greater extent of this traffic arises from the jealousies and fears of the secular Priests, lest their own emoluments might thereby be in any wise diminished. Remove this check by paying the secular Priest; the Brothers will increase their traffic, and the Choristers will extend the sphere of their services, and the burden of dues and fees will be ten, nay, a hundred-fold, increased. This must necessarily follow from Lord Alvanley's "*first step*."

Perhaps the monks are to be paid too. Then search out the fairest, most fertile, most extensive tracts of land in this country, banish the owners, confiscate their property, and lay the title deeds as an offering upon the monastic altars, and perhaps for a time the Church of Rome may say, "enough." This may appear extravagant, it is nothing more than what we might justly expect. Walter Ennis, the organ for the time of the Romish Hierarchy in Ireland, thus speaks in his "Survey of the Articles of the late rejected Peace of 1646," page 91 :—"In our declaration printed 1641, we declared it to be a means to reduce Ireland to peace and quietness, that the bishoprics, deaneries, and other spiritual promotions of the kingdom, and all friaries and nunneries should be restored to the CATHOLIC OWNERS, and that the impropriation of tithes may be restored, and the sites, ambits, and precincts of religious houses

“of monks may be restored to them; but as to the  
 “*residue* of their temporal possessions, it is not  
 “desired to be taken from the present proprietors,  
 “but to be left with them, until God shall incline  
 “their own hearts.” The same spirit and the  
 same principles that dictated the above, I believe,  
 animate at the present time the majority of the  
 Roman Catholic Hierarchy in Ireland. It may  
 be said restrictions might be placed upon the in-  
 crease and functions of the Monks, or the esta-  
 blishment of Monasteries might be altogether  
 prohibited. Attempt either of these, and then  
 farewell to the dream of tranquillising Ireland by  
 paying the secular Priests.

I have taken my stand upon low grounds,  
 and have not alluded to the great principle  
 involved in this question. I have only dealt  
 with its justice and practicability, and I am  
 confident that many even of the reflecting  
 members of the Roman Catholic persuasion  
 will acknowledge that the measures proposed by  
 Lord Alvanley, whilst they remove no grievance,  
 would entail others which would be first and  
 most severely felt by themselves.

If the obligation to pay tithes to the Irish church  
 be the great grievance under which the Roman Ca-  
 tholics are weighed down, (which I deny,) and if  
 this be the only obstacle which stands in the way  
 of restoring peace and tranquillity to Ireland, as

Lord Alvanley infers, a much cheaper and more effectual means of accomplishing its removal can be devised than the payment of the Priests, recommended by his Lordship. There are in Ireland, I believe, about four thousand priests who, on a moderate calculation, for confessions, marriages, burials, extreme unction, masses, months' minds, churchings of women, priests' coin, &c., receive about £600,000, thus affording to each a salary of about 150*l.* per annum. In this sum salaries of Bishops are not included. Take it, however, at 600,000*l.*, and large as it is, who is there that would not be willing to sacrifice it, provided there were no surrender of principle involved therein, if by doing so Peace and Harmony could be secured to Ireland? A much less sum, however, will be required, if the grievance of Tithe be all that is necessary to be removed. I have said that the amount of tithe, payable to the Clergy of the Established Church, is about 300,000*l.*, half the sum necessary to be paid to the Roman Catholic Priests, supposing they would be satisfied with it. Let lands be purchased by the government at every opportunity, producing a yearly amount equal to that of the tithes; and according as the land is purchased, let the proceeds be applied to the use of the clergy in lieu of their tithes, the expense will then come gradually off the state,

without suddenly depreciating the value of money, or increasing that of land ; tithes will be extinguished in a few years in name and reality, and the presumed grievance, arising from the obligation to pay them, will be completely and for ever removed. The reason for vesting the money in land must be obvious, it will give the property a character of security and permanence which it otherwise could not have, and will cause the income of the Clergy to fluctuate according to the changes of the times.

When we are required to adopt any essential measures upon the grounds that a great change has passed over the Church of Rome, that her anti-social dogmas are become obsolete, and that everything that Protestants have hitherto feared has been re-“modelled,” we require something more to give us certainty of this than the hearsays and conversations of well-meaning country gentlemen, or even the Pamphlets of noble Lords. The same authority that enacted must repeal those anti-social dogmas, before we can be convinced that they are obsolete; but we have no room for doubt on the subject, on the contrary we have the clearest proof that they are in full force at this present time within the Church of Rome, and within the bounds of this Realm too. In the encyclical letter sent by the present pope to the Romish bishops of Ireland in 1832, he thus writes to them :—

“ You will discharge this duty (viz. defending the common cause, &c.) faithfully, as your ministry demands; you will attend to yourselves and to your doctrine, calling frequently to mind that the universal church is not shaken by any novelty whatsoever, and that according to the admonition of St. Agatha Pope, *Nothing of what has been regularly defined ought to be retrenched, or changed, or increased, but that all should be preserved incorrupt, both in measure and expression.*

No doubt, in pursuance of this, and in order to improve and enlarge their canon law, the Roman Catholic Bishops of the present time have published a compendium of papal laws, containing the bulls and decretals of Benedict XIV., and also his definitions on doctrinal, moral, and canonical subjects. His bulls are acknowledged by them as forming part of the canon law, and his definitions of supreme authority in the Church. It is a maxim of the Church of Rome, that *decretals* are binding in the countries in which they have been published or adopted as the canon law of the country. Again, the general adoption of a bull in practice, without a formal promulgation, would give it the force of a law, on the ground that custom became law. Whatever force, then, their adoption and publication could give them has been given to the papal laws contained in

this compendium by the present Romish Bishops. They have been published, adopted, and enjoined upon their Priests as the laws by which they are to instruct and govern the People. In them we find laws for the excommunication and extermination of Heretics, the confiscation of their Property both lay and ecclesiastical, and all the worst of those intolerant and persecuting dogmas which characterized those times when the church of ~~Rome was in the zenith~~ of her power and ascendancy. That she has changed in her ~~pre~~tensions, or has partaken of the supposed enlightenment of the present day, is a dangerous delusion, against which we cannot be too much on our guard. We must bear in mind that those precautions which abound in our laws against the usurpations of the Pope, did not originate in the era of the Reformation; from the earliest periods in our history we find the State watching with the most jealous eye, and guarding by her laws against the unlawful encroachments of the Church and Court of Rome; if such were necessary when the faith of the church of Rome was universally professed in these countries, how much more are we, as a Protestant State, called upon not to lay aside our vigilance or our caution!

Our own laws should be obeyed and acknowledged as supreme, and if faithfully and firmly

administered they are sufficient to repress any disorderly conduct on the part of the Priests of the church of Rome. Deeply, I am convinced, would it grieve the heart of every true British Protestant, if ever they should witness the day when it became necessary to call in the aid of the Pope of Rome to assist our gracious Queen in the government of her subjects. If such a time should ever arrive, "the sun of England will indeed be set." ~~Q/To be continued/~~

The good to be derived from any intimate relation with the court of Rome is very problematical, the evils necessarily resulting are absolutely certain. In establishing this friendly relation, whilst the principle is admitted that the Pope hath "jurisdiction in this Realm," we at the same time open a door for endless strife and agitation, unless we are prepared to surrender the kingdom, to be exclusively possessed by Roman Catholics.

The cases of those States which Lord Alvanley holds out to us as examples, and wherein he says the payment of the Priests, and the political relation maintained with Rome, has succeeded so well, are not analogous to ours; and it has yet to be proved that success has attended those measures. In Prussia and Russia the Rulers are despotic and autocratical, and there is also a surveillance and espionage kept up through the *secret police*, which

our executive has no provision for, and which our constitution does not admit of. Through these secret agents they can detect the first and most secret movements of sedition ; and by their despotic power they can use the most summary and effective means immediately to repress it. I neither covet the one nor the other ; and through all the changes that England has undergone, I rejoice that our Institutions are free from the foul excrescence of the masked betrayers of social intercourse. Long may England remain free from such a polluting force, and as long may she remain free from such measures as should demand it to control or check their evil tendencies. The payment of the Priests did not prevent them from being active agents in causing the severance of Belgium from Holland. Will it prevent their agitating the repeal of the Union between Great Britain and Ireland ? or propagating a spirit of disaffection in both ?

• Neither the payment of the Priesthood, nor the relation with Rome, prevented the Apostolic Vicar from endeavouring to convulse the Rhenish Provinces to their centre, so that at other times, and under a less vigorous Government, revolution must have been the consequence. These Provinces are bound to Prussia by a very slender tie, and that which renders this tie still weaker—exposing it to a sudden dissolution—is the



very position which the Church of Rome holds at this present time in those Provinces.

Lord Alvanley proposes that we send our accredited agent to Rome, and that “accredited apostolical vicars” should be sent to superintend the spiritual affairs of every diocese here. The Church of Rome in these realms would then be placed under their protection as agents of the court of Rome. The first demand would be the full, *free*, and *open* exercise of their religion. What may be comprehended in this may be collected from the following extract of a letter, dated Sept. 27th, 1841, written by Dr. Miley, a leading priest of Dublin, to Dr. Pusey of Oxford, as it appeared in the newspapers of the day:—“The church, which in pagan times concealed the mysteries in crypts and catacombs, now parades the *sacrament* in solemn pomp throughout the streets and squares of the cities. “Wherever the *spirit of Catholicity is free*, instead of immuring the celestial form of religion, it delights to behold her expatiating abroad, diffusing a sanctifying influence, setting the seal of a superintending Providence upon every enterprise and every occupation, and planting even along the dusty thoroughfares of the passions symbols so sacred as to startle the most dissolute into the recognition of hopes and terrors of futurity.” The real meaning conveyed in this

passage is, that when *the church shall be free*, we shall have processions of the host in the streets and squares of cities, especially with popish lord mayors and corporations; we shall have crucifixes at the cross-roads, and images of saints in the thoroughfares, offensive to the eyes and principles of Protestants, and degrading to our fellow-subjects. Is it to be expected that Protestants will tamely submit to such practices? Will Roman Catholics, under improved circumstances, cease to require them?

“These apostolical vicars, armed with full powers to restrain and punish the bold and bad-intentioned amongst the clergy,” must of course have some judicial authority for trying and deciding upon cases brought before them; in short, they must have courts for all cases between the bishops and their Priests, and between the Priests and the People. This cannot be confined to spiritual, it will be extended to temporal things. What the effect will be, must be obvious. The laws of the land will be superseded by the laws of the court of Rome; the authority of the government and of the Queen, by that of the pope and his “apostolical vicars;” and by degrees the Roman Catholics will be led to feel that their allegiance is more due to a foreign power than to that whose natural subjects they are. The alchemy of Rome

can at all times transmute temporal things into spiritual, and *vice versâ*, and it will be impossible to place limits between the civil and ecclesiastical, between spiritual and temporal jurisdiction. In attempting to do so we shall find, when perhaps too late, that we have renewed, with a folly reckless of past experience, the contests which for centuries wasted the lives of our ancestors, and flung away with criminal prodigality the hard-earned yet cheaply-purchased victories which they achieved over the pretensions of the court of Rome. The present agitations are but as a gentle breeze ruffling the surface of society, in comparison with the hurricane which Lord Alvanley's measures are calculated to produce.

Whilst it is my desire to live on all friendly terms with my Roman Catholic fellow-subjects, and not to be wanting in acts of kindness or of courtesy to them as individuals, I trust that it may ever be the determination of Protestant Englishmen to make no compromise with the antiscipitural doctrines or antisocial principles of the church and court of Rome.

I advert not to the reform of Maynooth proposed by Lord Alvanley, but I cannot pass over his high commendation of the order of Jesuits in connexion with that establishment. I agree with his Lordship that the Jesuits "*sent out by the Propaganda as missionaries, are eminently cal-*

*culated to succeed in the objects for which they are designed."* They are well disciplined and tried, and their qualifications and fitness accurately ascertained before they are allowed to proceed to their respective posts. What "*the objects are for which they are designed,*" is evident from the original constitution of the order, as well as from the history of their past transactions. One of their vows is to go whithersoever the Pope should send them as missionaries for the conversion of infidels and *heretics*, or *for the service of the church in any other way, and to devote all their powers and means to the accomplishment of the work.* Shortly after the establishment of this order, the means they would use to effect their purposes were sketched by the hand of a spirit almost prophetic. Dr. Brown, Archbishop of Dublin, in a sermon which has often been quoted, gives this description of them : " These sects will turn themselves into various forms, with the heathens a heathen, with the " atheists an atheist, with the Jews a Jew, with " the *Reformers* a *Reformer*, purposely to know " your intentions, your minds, your hearts, and " your inclinations," &c. True to their vows, yet indifferent to the means they should employ, they have pursued with indefatigable zeal, from the earliest period of their history, up to the present time, the exaltation of the church of Rome, and

the overthrow of what is calculated to impede the accomplishment of their object. I am not surprised if they have been admitted into familiar intercourse with Lord Albanley, as he would lead us to understand, and which I lament to find, that they have adapted themselves to his lordship's tastes, and have ~~won~~<sup>been</sup> upon his favour, is no inconsiderable proof that they "*are eminently calculated to succeed in the objects for which they are designed.*" I would here take the liberty of recommending to his lordship the perusal of a book, published this year by Count Krasinski, on the Reformation in Poland, where the description of the part taken by the Jesuits at that period bears forcibly on our present subject. I too have not been unobservant, nor have I been without means of forming an opinion with respect to, the present transactions of the Jesuits; nor is it on light grounds that I have come to a conclusion, respecting them, different from that of Lord Albanley. Several modern facts are before me, but to produce them would enlarge these observations too much. I shall only state, that in the course of a journey on the continent, during the last year, in Italy and Germany, many with whom I conversed, and some of them members of the Roman Catholic church, condemned the proceedings of the Jesuits settled amongst them; they described them

as interfering in family, social, and state concerns, to their great disturbance, and manifesting the same principles in the present day, as history attributes to them in former periods. I do not know how much this may weigh against the "experience" of Lord Alvanley, but of this I am persuaded, that I could not too strongly deprecate or resist the authoritative appointment of such men as Teachers in this country, who, I believe, are the avowed enemies of our institutions, both in church and state.

The difficulties peculiar to Ireland, which stand in the way of a due administration and due observance of the laws, will be materially diminished by a firm adherence to Principle. It is only when men's minds are tossed about, at one time highly elated, at another deeply depressed, by falsely excited hopes and fears, that agitation is likely to succeed, or to become turbulent and alarming. Let the laws be faithfully and impartially administered, let crime be diligently sought out and punished, let men be selected to fill the different situations under government patronage for their moral and intellectual fitness, let the appointments in the Established Church be conferred on men whose lives are devoted to their sacred calling, let protection be afforded to life and property, as far as in the government lies: and whilst toleration, full and free, is

extended to every Religious sect, let encouragement and protection be given to the Truth, and I have no doubt but that Ireland will soon become different from what she is, and make equal progress in civilization, in morality, and in religion, with the other parts of the empire.

I have put myself to some inconvenience, I am persuaded that I expose myself to much of obloquy by writing these observations, yet I shall not regret the one, and I shall willingly endure the other, if they have the effect of correcting those errors, and removing those false impressions, which prevail with respect to the past and present state of Ireland.     "

Whatever others may think or say, I shall still have the approval of my own conscience, testifying that I have sought and sincerely desired the welfare of all classes of my fellow-subjects.

My "Observations" have at least this advantage, they are the result of an experience of thirty years' residence in Ireland, during which time I have lived in harmony and friendship with my Roman Catholic countrymen, for many of whom I entertain the sincerest regard. But my experience has shown me that *the doctrines of the Church of Rome, and the operation of her principles as exhibited amongst our people, are the root and cause of many of those evils which afflict our unhappy country*; and it is because I am con-

vinced that the adoption of Lord Alvanley's proposition would not only add to our miseries in Ireland, but extend them to England herself, that I have sent forth my warning voice in these "Observations."

The eye of the critic will no doubt detect many faults, but I write not for him. I address myself to the common sense of my countrymen, trusting that what I have said may lead them seriously to examine their *principles as Protestants*. I cannot believe that any Government which may be placed over the destinies of this Country, could propose for adoption such a panacea for the state of Ireland as that which is suggested by Lord Alvanley; but if, at a future period, and in an evil hour, such blindness should pervade the minds of those who might be Rulers, as to induce them to try such an experiment, I trust that the Protestants of Great Britain would then, as they would now, raise their indignant voice against the gross inconsistency of the State paying for the promulgation of doctrines against which she solemnly protests, and supporting a Priesthood to teach those errors which Lord Alvanley, together with the Protestant Members of both Houses of Parliament, have sworn they believe to be "superstitious and idolatrous." Let it not be said that this principle has already been adopted by the



grant to Maynooth : unhappily, from this short-sighted policy, the nation is now suffering, let us not add to our misfortunes, by a further deviation from sound principle, or by sacrificing the cause of Scriptural Truth at the Shrine of an infidel liberalism so prominent in "the age in which we live."

*Tollymore Park, Co. Down,*  
*Nov. 20, 1841.*

LONDON

PRINTED BY G. J. PALMER, SAVOY STREET, STRAND.



THE ACT  
FOR  
THE MORE EFFECTUAL APPLICATION  
OF  
**Charitable Donations and Beques**  
IN  
**IRELAND,**  
(7 & 8 VICTORIA, CAP. XCVII.)



THE ACT  
FOR  
THE MORE EFFECTUAL APPLICATION  
OF  
Charitable Donations and Bequests  
IN  
IRELAND,  
(7 & 8 VICTORIA, CAP. XCVII.),  
WITH  
NOTES ON THE SEVERAL SECTIONS OF THAT STATUTE,  
EXPLANATORY OF THE ALTERATION INTRODUCED BY IT  
INTO THE LAW OF IRELAND,  
AND  
SOME NOTICE OF THE LAW OF ENGLAND AND SCOTLAND  
RELATING TO THE SAME SUBJECT.

---

BY WILLIAM SHEE,

SERJEANT-AT-LAW.

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" My humble and decided opinion is, that the three Religions, prevalent more or less in various parts of these Islands, ought all, in subordination to the legal Establishments, to be countenanced, protected, and cherished; and that in Ireland particularly, the Roman Catholic Religion, should be upheld in high respect and veneration; and should be in its place provided with all the means of making it a blessing to the people who profess it "—*Burke's Letter to William Smith, Esq.*

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LONDON:  
DOLMAN, NEW BOND STREET,  
AND  
CUMMING, ORMOND QUAY, DUBLIN.

1845.

LONDON  
PRINTED BY RAYNER AND HODGKINS,  
109, Fetter Lane, Fleet Street.

ANNO SEPTIMO ET OCTAVO

VICTORIÆ REGINÆ,

CAP. XCVII.

*An Act for the more effectual application of Charitable Donations and Bequests in Ireland.* [9th August, 1844.]

WHEREAS it is expedient that the pious intentions of charitable persons should not be defeated by the concealment and misapplications of their donations and bequests to public and private charities in Ireland: And whereas the provisions of the act passed by the Parliament of Ireland in the third year of his late Majesty King George the Third, intituled *An Act for the Better Discovery of Charitable Donations and Bequests*, and of the act passed by the Parliament of Ireland in the fortieth year of the reign of his said late Majesty King George the Third, intituled *An Act to amend an Act passed in the Third Year of His present Majesty King George the Third, intituled 'An Act for the Better Discovery of Charitable Donations and Bequests,'* have been found insufficient for such purposes; and it is expedient and necessary that provision should be made for the better management of such charitable donations and bequests as have been heretofore made, and such as hereafter may be made: Be it therefore enacted by the Queen's most excellent Majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present Parliament assembled, and by the authority of the same, That from and after the commencement of this Act the hereinbefore recited Acts shall be repealed, save as to anything done at any time before the commencement of this Act, all which shall be and remain good to all intents and purposes whatsoever as if this Act had not passed.

Recited acts repealed, save as to anything done before commencement of this act.

The first thing which attracts our attention in this Act of Parliament is, the want of any clear and honest enunciation of the object sought by the Bill.

*Charitable Donations and Bequests' Act,*

When the enacting clauses of a statute are so worded as to render their construction doubtful, the intention of the Legislature may usually be discovered by reference to the preamble. In it, the mischiefs intended to be remedied, or the benefits proposed to be secured, are generally stated with sufficient certainty to apprise an unlearned reader of the objects contemplated by the framers of the Act. Any person reading this preamble would suppose that the policy of the State respecting the donations and bequests which it was intended to regulate, had always been the same as now, and that the pious intentions of charitable persons in Ireland, had been defeated either by the constructions of the Courts of Law, or by the supineness and negligence of Commissioners heretofore appointed to carry them into effect. Reading this recital in conjunction with the second section, who would imagine that the acts hereby repealed, because "insufficient for their purposes," were acts deliberately passed for the express object of crippling the resources of the Roman Catholic Church, by the discovery and confiscation of all donations and bequests for its support? Who would conjecture, that it was not until this purpose of confiscation had been defeated by the conscientious scruples of honourable men sitting as Judges in the Irish Courts of Equity,—not until time had given to those scruples as much of the weight of judicial authority as sufficed to encourage pious Catholics to attempt the re-endowment of their Church by munificent donations and bequests,—not until the recited acts had become clearly "ineffectual for the purpose" of perpetuating the poverty of the Church of Rome in Ireland, that any Minister of the Crown of England entertained a notion of their repeal? Yet such is the fact.

The former of these Acts, 3 Geo. 3, c. 1, was passed by the Irish Parliament in 1763, a period when all the inhabitants of Ireland were presumed, by the law, to be Protestants, the Catholics, and the Catholic Church, being in no respect recognised, except for reprehension and penalty. The propriety of

this mode of dealing with them being taken for granted, dona- Section 1.  
 tions and bequests for Catholic charitable purposes, were supposed to have no existence,—the preamble reciting, that “the pious intentions of many charitable persons were frequently defeated by the concealment or misapplication of their donations or bequests to public or private charities in this kingdom,” seems to indicate that the intention of the Irish Parliament was to prevent the embezzlement of charitable donations and bequests by the trustees appointed to administer them. For this purpose it was enacted, that “all charitable donations contained in wills should be published three times successively in the *Dublin Gazette*, at the expense of the executor, within three months after obtaining probate of the will, under a penalty of 50*l.*, in case of his neglect; and also, that extracts from such wills should be lodged by the proper officers in each diocese, annually with the clerks of both Houses of Parliament.”

Publicity being thus secured, the law, in virtue of this pious fiction, relieved the executors of Catholic donors from the trouble of effecting the intentions of their testators, and presuming them to have intended what they ought to have intended, *i. e.*, the reverse of what was in their wills expressed, confiscated such Catholic bequests as were ignorantly or incautiously made, to Protestant purposes. And that the object of the Act might not be lost by neglect or inattention, a committee, composed principally of Bishops, was appointed in 1764 by the Irish House of Lords, to see that its provisions were<sup>4</sup> carried into effect.

Thus the law continued until the year 1800, when the Union with Great Britain was in progress. By this time, in consequence of the relaxation of the penal laws, the Catholics had obtained a great increase of wealth, and power, and influence. There was much need of a Committee of Bishops, to prevent or to check the re-endowment of the Church of Rome, and that the good effects of their past vigilance might not be wholly lost for the future, the Irish Parliament, in the



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last year of its existence, passed the 40 Geo. 3, c. 75 (repealed by the present Act), whereby, after reciting the appointment of the Committee of the Lords, that by the union of Great Britain and Ireland, such committee would be discontinued, and the pious intentions of many charitable persons thereby (as before the said committee was appointed), defeated by the concealment and misapplication of their donations or bequests to public and private charities in that kingdom, and that it was expedient and necessary, that some public body should be constituted and appointed to watch over such charities and bequests, *and to enforce the application of them to the purposes designed and intended* by the pious donors thereof, a Board of Commissioners, consisting of all the Archbishops and Bishops of Ireland, the Judge of the Pre-rogative Court, several clergymen incumbents of parishes in Dublin, together with the Chancellor and twelve Judges for the time being, was erected into a Corporation for that purpose.

By the second section, the jurisdiction of this board is ascertained, and it is enacted, “that the commissioners and their successors may sue in every Court in this kingdom, either of Law or Equity, for the recovery of every charitable donation or bequest, which may or shall be withheld, concealed, or misapplied, and apply the same, when recovered, according to the intentions of the donors; *or in case it be inexpedient, unlawful, or impracticable, to apply the same strictly, according to the directions and intentions of the donors, then to apply the same to such charitable and pious purposes as they shall judge to be nearest and most conformable to the directions and intentions of the donors*; with full costs, to be paid to the said Commissioners out of the charitable donations.”

By the third section it is declared, that five Commissioners shall constitute a quorum, but that an Archbishop or Bishop shall always be one.

The operation of this Act of Parliament is described by Mr.

Scully, in his able work\* on the Irish penal laws as follows:— Section 1.

“ Thus has the Irish Parliament, in the last year of its existence, solemnly organized a powerful inquisition, vigilant and eager in the pursuit of its prey, and armed with every necessary authority for discovering and seizing the funds destined, by dying Catholics, for the maintenance of the pious and the poor of their own communion.

“ For instance, a Catholic bequeaths certain small annuities for the decent support of the parish priest, the occasional repairs of the Catholic chapel, and the better education of the youth of the parish; and he confides the fulfilment of his pious intent to two solvent and upright executors, of his own choice and approbation. Upon his death, his executors are obliged, under penalty of 50*l.*, to publish those bequests, with every particular circumstance, three times successively in the *Dublin Gazette*, within three months after obtaining probate of the will. Thus or through some other channel, these bequests attract the notice of the Commissioners of Charitable Bequests or their Secretary.

“ They instantly file an information in the Court of Chancery, alleging that these bequests were given to unlawful and superstitious uses; that they are therefore vested in the King, who in his capacity as head of the Church, is entrusted by the common law to see that nothing is done in propagation of a false religion; that these bequests, though unlawful, cannot even revert to the representatives of the donor; for having manifested some charitable intent, but mistaken the legal mode of effecting it, he is to be considered as having given the bequest to general purposes of charity, of which the King is authorized to select the legal objects, that therefore, the King is to direct and to appoint the appropriation of these bequests *in eodem genere*, to Protestant charities, such as shall appear to be the nearest and most conformable to the charitable

\* “ A Statement of the Penal Laws which aggrieve the Catholics of Ireland.”

—*Dublin*, 1812.

intentions of the donor, or technically speaking, to execute those intentions *cy près*."

The equitable doctrine of *cy près* is thus laid down by Sir William Grant.

"Whenever a testator is disposed to be charitable in his own way and upon his own principles, we are not content with disappointing his intention if disapproved by us, but are to make him charitable in our way and upon our principles. If once we discover in him any charitable intention, that intention is supposed to be so liberal as to take in objects not only not within his intention, but wholly adverse to it."\*

"The doctrine of *cy près*," says Lord Eldon, "proceeds upon the principle that the testator's general intention of charity was the principal intention—that he meant at all events some charity, that his unlawful purpose was a mode of disappointing it, and the mode therefore was out of the question, and the intention should be carried into effect in another mode."†

It is plain that the application of this doctrine to the bequests of pious Catholics would operate as a wholesale and indiscriminate confiscation, and it is due to the old board of Protestant Commissioners to admit, that they discharged their functions with a degree of zeal and of activity, which completely frustrated, where it had not discouraged, every attempt of the Irish Catholics to provide any permanent maintenance for the ministers of their worship, their places of education, or other pious or charitable foundations. In those days of *cy près* administration of Catholic testamentary dispositions, the necessity of protecting the death bed of a man from the suggestions of his own conscience, or the influence of his spiritual adviser, had not occurred to those whose compassion is now moved in behalf of his distant cousins! The bequests of Catholics, whether *in extremis* or in vigorous health, were then without scruple alienated, as Dr. Murray says, "from the known objects

\* *Curey v. Abbott*, 7 Vesey, 424.    † *Moggridge v. Thackwell*, 7 Vesey, 77.

contemplated by the testator, and applied to objects which, if Section 1. living, he would abhor!"

If this system of administering Catholic charitable bequests had continued to the present time, which might be inferred from Sir Robert Peel's speech of July the 29th, as reported in Hansard, the new Act would, in some respects, have been an improvement.

But it did not continue. The legal and equitable grounds on which its application to Catholic charities rested, were by no means so clear in Ireland as they were in England. The provisions of the English statute of 1 Edw. 6, c. 14, by which *superstitious uses* were declared, and donations of lands, tenements, goods or chattels, for or towards them, were prohibited, had not been enacted in Ireland. An opinion certainly prevailed that the uses declared by that statute to be superstitious and unlawful, were also prohibited in Ireland by the *general policy of the law*, which recognised no worship but the worship of the Church by law established; no priest or bishop, except such as might be members of the Board of charitable donations and bequests. But when the effect of the concession of the elective franchise, and of permanent interests in land had begun to exhibit itself in such an increase of the political power of the Catholic Church and people, as made their support acceptable to one of the great parties in the State, and rendered an early alteration of the law respecting them a grave question of imperial policy—which it was plain to all thinking men must end in their Emancipation—the grounds of the doctrine of *cy près* confiscation of Catholic bequests to the undue enrichment of the Establishment were looked into with more suspicion. The duty of applying it must at all times have been irksome to the Judges of the Equity Courts, and when the Irish seals were entrusted to an English nobleman of no great reputation as a lawyer, but of high character for honour and integrity—rather than decree what was in truth plain plunder, he, in the case of a bequest of a sum of money in trust to apply the interest in clothing such poor children as should be educated in the school of a Nunnery at Waterford—

declined to act on the presumption, that the object contemplated was contrary to the statute of Edward, or against public policy, but referred it to the Master to report on the nature and description of the school, and finally decreed in favour of the object of the testator. *Attorney General v. Power*, 1 Ball & B. 145.

In a case which occurred some years afterwards, I think in 1823, his Lordship adhered to that decision, and from that time to this, the Commissioners of Charitable Donations and Bequests, have not been encouraged by the Courts of Equity, in their projects of *cy-près* confiscation.

Even before the Emancipation Act, the last ear of their harvest had been gleaned. By that Act, the policy of the law respecting Catholics was avowedly altered. The Board continued for the administration of Protestant Charities, and none other. Some expense and inconvenience no doubt were occasioned by the circumstance, that the Catholic laity were, in many cases, ignorant of the fact, that bequests to Bishops or priests, were, in the eye of the law, bequests to them personally, which would go to their heirs, and not to their successors in the ministry\*, however plain the intention of the donor, also, from the necessity of appointing trustees, and the unavoidable insecurity and expense to which the *cestui que trust* of small property, especially personal property, is, in all cases, exposed.

*But beyond this there was no restraint of any kind on Catholic donations and bequests for charitable purposes.*

To this evil, such as it was, it now appears that the Catholic Prelates of Ireland, in the year 1840, memorialized the Irish Government to apply a remedy. The "most distinguished member of the Irish Catholic body," brought in a bill,† which provided that remedy in a plain, straightforward, and unobjectionable manner. It is difficult to understand how any real friend of the Catholic Church in Ireland, could have objected to the constitution of the Catholic Archbishops and Bishops as bodies

\* See the case of *Jack dem. Mc Guirk v. Rielly*, 2 Hudson & Brooke, 301.

† See Appendix.

politic and corporate, subject to the jurisdiction of the Court of Section 1.  
 Chancery, for the mere purpose of the inexpensive security of Catholic charitable donations and bequests. But the men who introduced this Act of Parliament are not the friends, nor have they until now, ever pretended to be the friends, of that Church. Theirs is an open, undisguised,—let us hope, conscientious, hostility. In their opinion, it is a superstitious institution not to be cherished as a good, but only tolerated as an inevitable evil. That measure was, of course, rejected, as everything was sure to be coming from its author, and in the absence of him, to whom the Catholics of the Empire owe a debt of gratitude which they never can repay, who has at all times proved himself a watchful sentinel over the interests of the Catholic Church, and who is the real cause of any good, if earnest of good there be, in this Act; advantage was taken of the unsuspecting confidence of less wary Catholics, clerical and lay, to fasten upon their Church an enactment which will probably indirectly produce pretty much the same results as was intended by the Acts which it repeals.

With great respect to their Graces the Catholic Archbishops of Armagh and Dublin, they have been outwitted\* by men more astute, and truth to say, more consistent than themselves. —That sort of consistency which induces men to whom great interests are entrusted to accept and countenance measures of which they deliberately disapprove, merely because they had incautiously suggested something like them in a memorial which was rejected, betrays a spirit unequal to the crisis at which we have arrived. Is not Dr. Murray mistaken in supposing that what has now been enacted was desired four years ago by the Catholic Church in Ireland? He was dealing with a government, acting upon principle, in a spirit of determined, not to say fanatical hostility to the Church over which by God's Providence he has been appointed to watch. In his conduct as in his charge, there is too little of the wisdom of the serpent—too much of the simplicity of the dove. Of

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the two, Bossuet would be better suited than Fenelon for such times as we live in.

But let us not be too hasty in our conclusion. This preamble is false, or rather it is illusory, and using the term in the unjust sense in which it is often used in England, it is *Jesuitical*. Let us see if the fault be corrected by the enacting clauses: if it be, then all is substantially well, and we shall have only to regret, that in dealing with a great national question, men unequal to the task, have lost a fortunate opportunity, of avowing a statesmanlike regret for past injustice, and a wise resolution to do right for the future.

The proper preamble of a really friendly Act conceded to the memorial of the Irish Bishops would have been as follows :  
“ Whereas the great majority of the people of Ireland are members of the Roman Catholic Church, and whereas the donations and bequests of persons of their communion, have, by the operation of laws ever to be deplored, been applied in past times, to purposes other than those intended by the pious donors thereof, to the unjust impoverishment of Roman Catholic religious and charitable institutions, and the great injury of the Roman Catholic poor. And whereas the circumstances which gave rise to those enactments have long since ceased to exist, and it is just and expedient to provide for the administration of the charities of the Catholic people of Ireland, by inexpensive provisions for their security and protection :” be it enacted,

Commissioners  
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ointed.

II. And be it enacted, That the Master of the Rolls in the High Court of Chancery of Ireland for the time being, the Chief Baron of the Court of Exchequer in Ireland for the time being, and the Judge of her Majesty's Court of Prerogative for causes Ecclesiastical and Court of Faculties in and throughout Ireland for the time being, together with ten other proper and discreet persons, to be from time to time appointed by her Majesty in council, by warrant under the sign manual, of which ten persons, five and not more than five

shall at times be persons professing the Roman Catholic religion, Sections 2, 3, 4, 5. shall be one body politic and corporate, by the name of "The Commissioners of Charitable Donations and Bequests for Ireland," and by that name shall have perpetual succession and a common seal, and by that name may sue and be sued.

III. And be it enacted, that the said commissioners shall be at all times removable by her Majesty in council, by warrant under the sign manual; and that whenever, by death, resignation, removal, or otherwise, any person shall cease to be a commissioner under this Act, it shall be lawful for her Majesty, by warrant as aforesaid, to appoint one other person instead of the person so ceasing to be such commissioner; and every appointment of the said commissioners and their successors shall be published in the *Dublin Gazette*. Removal and appointment of such commissioners.

IV. And be it enacted, That all things which the said commissioners are by this Act authorized to do may be done by any five of such commissioners: Provided always, that such five commissioners be for such purpose assembled at a meeting whereof due notice shall have been given to all the said commissioners. How many commissioners may act.

V. And be it enacted, That at each meeting of the said commissioners the said Master of the Rolls, or in his absence the said Chief Baron of the Court of Exchequer, or in his absence the said Judge of the Prerogative Court, if present, and, in the absence of all, the senior commissioner in the order of appointment, shall preside; and the chairman at all such meetings shall not only vote as a commissioner, but, in case of the equality of votes, shall have also the casting or decisive vote. Chairman of commissioners.

If the principle of a Board of Protestant and Catholic Commissioners for the joint administration of Protestant and Catholic Ecclesiastical charities were sound, there could, as it appears to me, be no objection to the official Commissioners appointed by these sections. On the contrary, if those Commissioners attend to their duties, their presence will, in my opinion, be some security for the faithful execution of the trusts which may hereafter be committed to the Board. I feel satisfied that according to the existing policy of the law, a Catholic charity would be as safe in the hands of the present Master of the



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Rolls, as of the late Sir Michael O'Loghlin.\* All these personages may, and some of them probably will, occasionally in course of time, be Roman Catholics, but even if that should not happen, I cannot doubt that they would honestly carry into effect the provisions of this Act of Parliament. The other Commissioners are to be appointed and removable by warrant under the sign manual, but no emolument is attached to their office; they may of course be subjected to other influences, but they will have no direct temptation to act otherwise than with perfect independence.

Neither do I see any objection to the terms in which the Catholic Commissioners are described: "Five discreet persons professing the Roman Catholic religion;" words copied from the Catholic Relief Bill, are,—if Catholic Commissioners there must be,—the sort of Commissioners who are required.

The appointments which have actually taken place, may also be admitted to be unexceptionable. We wonder what induced Sir Patrick Bellew to accept the office, or how Mr. Blake, whose approval of Mr. O'Connell's Bill of last Session is on record,† and whose health has compelled him to resign the important duties of Chief Remembrancer, can have been prevailed upon to countenance an "imperfect" measure, "full of blemishes;" "of which no Catholic can approve‡," and thereby obstruct the passing of a better one. The Catholic Episcopal Commissioners, are, of course, all that can be desired, and though one does feel a little astonished at Dr. Beresford's acceptance of a trust for Catholic Priests and Mass-houses, I have not the least doubt that he and the Earl of Donoughmore and the Dean of St. Patrick's, will act like men of honour, and, as far as they conscientiously can, dis-

\* It seems scarcely necessary to refer to the recent case of *Read v. Hodgens*, Michaelmas Term. 1844, a bequest of money by a Catholic testator, "to be expended in masses for my soul's sake" in confirmation of this opinion.

† See his evidence before the Mortmain Committee of last session.

‡ See Dr. Murray's Pastoral Letter.

charge their new duties to the best of their ability. Some of <sup>Sections 2, 3,</sup> them must be more in Dublin than they have been hitherto; <sup>4, 5.</sup> and if scruples should arise in their mind, they will, of course, resign, and make way for others, to be appointed by the Crown.

Much credit has been claimed for the Government, on account of their recognition by this Act of the Archbishops and Bishops of the Roman Catholic Church. That this recognition formed no part of their original intention, is clear, from the provisions of the Bill, as it first came down to the House of Commons. The Minister, on the suggestion of Lord Arundel and Surrey, took time to consider whether he could, without danger of being thought too liberal, consent to allow certain persons of eminent piety and learning, *of whose aid he was in need*, to be called by their right names. On reflection, he ~~thought this might be done, *cy-près*, without danger to the Church or State, and, accordingly, men whose rank and station as Archbishops and Bishops, has always been recognised throughout the Christian World, and at least as eagerly at Lambeth as at Rome, have been designated in an Act of Parliament as Archbishops and Bishops.~~ This is the sum total of the concession! And yet the duty of being grateful for it has been pressed upon us from so many quarters, and with earnestness so importunate, that it is much to be regretted we are not, as Catholics, in a condition to be suitably generous in return. It would have been more correct to have called Drs. Crolly and Murray, the Roman Catholic Archbishops of Armagh and Dublin, which they are, quite as much as St. Cyprian was Archbishop of Carthage, and St. Augustin Bishop of Hippo; but by so doing, *gain de cause* would have been given to the Catholic Archbishop of Tuam,—a thing no more to be thought of than the passing of a Bill proposed by Mr. O'Connell. The point is of no kind of importance, one way or the other.

With regard to the place accorded to the Catholic Prelates, in the warrant of their appointment as Commissioners, it must be acknowledged, that their Lordships have been treated with respect. In the absence of the Master of the Rolls, the

Chief Baron of the Court of Exchequer, the Judge of the Prerogative Court, and the Lord Primate of the Church by Law established in Ireland,—Dr. Crolly will preside at the Board as “senior Commissioner, in the order of appointment.”\* The notion that this civility was intended to recognise in Catholic Archbishops generally, a right of precedence over Earls and Viscounts; in Catholic Bishops over Baronets and Privy Councillors, is, in my humble judgment, a delusion,—the Government are not committed to anything of the kind. This warrant is probably the first State document since the Revolution, in which the venerable Archbishops and Bishops of the Catholic Church in Ireland have been mentioned with common courtesy,—that it has been done cheerfully and willingly by the Members of Her Majesty’s Government, I should be glad to believe; but that any thanks are due to them for their becoming conduct in this respect, I altogether deny. To treat this piece of mere *bienséance*, as a point gained by the Catholic Church in the transaction, is to suppose that the scruples of hesitating Prelates were overcome by an engagement—that in consideration of their consenting to act as Commissioners, they should be allowed to walk out of a room before the Earl of Donoughmore and Sir Patrick Bellew! I believe nothing of the kind. The Queen’s Ministers cannot have been saucy enough to offer, nor the Catholic Prelates mean enough to accept, so paltry a bribe.

The Archbishops and Bishops of the Roman Catholic Church in Ireland, have been respectfully mentioned in an Act of Parliament, and in a warrant under the Sign Manual! The Irish people may rejoice in this evidence of the increased good sense and improved manners of their Rulers—but *that is all*.

Religious  
questions to be  
referred to  
committees.

VI. Provided always, and be it enacted, That the consideration

\* By the 8th section of the Irish Church Temporalities Act, (3 & 4 Wm. 4, c. 37), it is provided, that at each meeting of the Commissioners, the Commissioner first in rank and precedence shall preside, and in case of equality and rank, the “Senior Commissioner in the order of appointment.”

of all charitable donations and bequests, and of matters relating to them, in which any question shall arise before the said commissioners concerning the usage or discipline of the united Church of England or Ireland, or of any body of Protestant Nonconformists, shall be referred to a committee of the said commissioners consisting of those commissioners who are Protestants; and that the consideration of all charitable donations and bequests, and of matters relating to them, in which any question shall arise before the said commissioners, concerning the usages or discipline of the Church of Rome, shall be referred to a committee of the said commissioners consisting of those commissioners who profess the Roman Catholic religion; *and that whenever, by reason of reference to or intendment of any usage of any such church or body, or any district or division, in use according to the discipline of any such church or body, the object of the donation, devise, or bequest shall not be defined with legal certainty in the deed or will creating the trust, the committee to which the same shall be referred shall certify to the commissioners* ~~who is, according to the uses and intendment of such church or body, the person for the time being intended to take the benefit of such donation, devise or bequests, or other particular facts concerning the usages or discipline of such church or body necessary to be known, for the due administration of the trust, according to the true intent and meaning of the donor; and the commissioners~~ *who is, according to the uses and intendment of such church or body, the person for the time being intended to take the benefit of such donation, devise or bequests, or other particular facts concerning the usages or discipline of such church or body necessary to be known, for the due administration of the trust, according to the true intent and meaning of the donor; and the commissioners* Routine of office. shall receive every such certificate as evidence of the facts certified, and shall give effect to such donation, devise, or bequest accordingly, so far as the same may be lawfully executed according to the provisions of this Act: Provided always, that nothing herein contained shall be construed to limit or affect the jurisdiction of any Court of law or equity.

We now come to the pith of the Act of Parliament, the jurisdiction given by it to the Commissioners—the influence and patronage vested by it in the Crown—the restraints imposed upon Catholic donors of property for religious and charitable purposes—the precautions taken against the acquisition, by the Catholic Church, of any interest in land, resembling in its character a temporal Establishment in Ireland, the extent of the benefits conferred on Catholic charitable institutions, properly so called ~~and effects upon the regular clergy.~~ *Public Library*

On reference to the fourth section, it will be seen that all things which the Commissioners are, by this Act, authorized to do, may be done by any five of such Commissioners. Reading that section in conjunction with the one now under consideration, it seems clear to me, that power is given to any five Commissioners, to decide finally and without appeal, except to a Court of Equity, upon the usage and discipline of any Church or body—the person intended to take the benefit of any devise or bequest—and the legality of executing such devise or bequest. In case of a difference of opinion, the question is, (by the fifth section,) to be decided by the majority, the chairman having the casting or decisive vote; (there is no provision for voting by proxy,) so that if the Judicial Members of the Commission should not attend, (which must often happen,) and illness or business should chance to render the presence of other Commissioners inconvenient, the judicial adjudication of the Board, on all these points, might not impossibly be given under circumstances which would not practically afford that degree of protection to Catholic and Protestant bequests, which was no doubt intended to be secured. If the business of the Board should be considerable, this difficulty can hardly fail to be of frequent occurrence. Yet I am far from suspecting that this operation of the provisions of the Act will be encouraged, and it is only fair to presume that the Government would be willing to provide a remedy for any such unexpected inconvenience.

Unless the Protestant Commissioners act, in a spirit of perverse, or, what they might consider pious, hostility to the interests of Catholic charities, the words above printed in *Italics*, appear large enough to throw the responsibility of the administration of Catholic charitable donations and bequests upon the Catholic Commissioners. For that very reason, I think this is an odious clause. I had much rather trust the Judges of the land or the prelates of the Established Church, acting upon their honour as gentlemen, (there is no oath prescribed

by this Act,) in the case of a difference on a point of jurisdiction, between a Bishop and his Chapter, or his Parish Priests, than any body of lay Catholic Commissioners, however orthodox or respectable. I mean no mere compliment to Sir Patrick Bellew and Mr. Blake when I say, that they cannot be succeeded by Commissioners of more unblemished honour, or superior attainments, but I think their presence at this Board rather mischievous than otherwise. Section 6.

In the administration of Ecclesiastical Charities questions of difficulty cannot easily occur before the Board, unless the benefit of bequests should be claimed by a Parish Priest not approved by his Bishop, or a doubt should arise respecting the regularity of a Bishop's appointment to a vacant see, or the calamity should again happen of a conforming Catholic Bishop. If the Protestant Commissioners be prepared, *bonâ fide*, to acknowledge the spiritual jurisdiction of the See of Rome, the two last cases could hardly give rise to much practical inconvenience. The Irish Catholic Bishops are appointed by the Pope, having been previously elected or rather presented by the Parish Priests and the Chapter of the vacant diocese, and recommended by the Metropolitan and Suffragans of the Province. The forms to be observed at the election, are regulated by a Decree of the Sacred Congregation *de Propagandâ Fide*. Being thus possessed of his See, a Bishop by the laws of the Catholic Church can only be removed after trial and sentence for a canonical fault. Such trial is one of the *causæ majores*, which by a decree of the Council of Sardica, in the fourth century, cannot be finally decided without reference to the Pope. A Suffragan Bishop accused of crime would, in the first instance, be cited before his Metropolitan, but an appeal would lie from his decision to the Holy See, and a Bishop deposed by the Holy See would, if this Act were fairly executed, *ipso facto* forfeit all claim to the benefit of any bequest to which he might otherwise be entitled. Whether the Protestant Primate of all Ireland and the Dean of St. Patrick's could with comfort to themselves take notice of a

Decree of his Holiness, appointing or deposing a Bishop, is more than I can say. But of this there can be no doubt, that Catholic Archbishops and Bishops are altogether out of place at a Board before which such matters may be discussed, under the presidency of a Prelate who has solemnly sworn—“*So help him God, that no foreign Prince, Prelate, State, or Potentate, hath, or ought to have, any jurisdiction, power, superiority, pre-eminence or authority, Ecclesiastical or Spiritual, within this Realm.*” Nothing but shame and disgrace to both Churches can result from such confusion !

The administration of charitable bequests under the provisions of this section, in the event of a difference between a Bishop and his subject, the parish priest, would give rise to more complication. The parish priests are appointed by the Bishops. They are in number about 1100. Their incomes may average from 150*l.* to 200*l.* a-year. ~~In some~~ In some cases it is as much as 400*l.*, but then they have to maintain one or more curates. Once appointed, they can only be removed for a distinct cause of Canonical fault for which they may be cited before their Bishop. If a priest should be unable to discharge the duties of his state, or become infamous or odious to the people, if he should commit violence upon one of his parishioners, get intoxicated publicly, abuse, (which was never known to happen) the confidence of the Confessional—exercise improper influence over the worldly dispositions of a dying man, refuse his ministry in cases of danger from infectious disease, or be guilty of any act of flagrant immorality or misconduct, he might, as also for maintaining heretical doctrines, according to the usages and discipline of the Church of Rome, be suspended ; and in cases of heinous crime or obstinate error, be deposed, or even publicly degraded, by his Diocesan. Is it meant that the Bishop shall, for the future, exercise this power in the case of parishes endowed under the provisions of this Act, so that the certificate of the Catholic Committee shall be a mere transcript of his certificate granted at their request ? If yea, why

not say so in plain terms? If not, the five Catholic Commissioners who may all be laymen, and probably will be, ere long, must, before they draw up their certificate for the information of the Protestant Commissioners, maturely weigh and consider the distinctions between the Canonical faults which may justify suspension, and those which may warrant deposition; they must have at their fingers' ends all the learning relating to the *suspensio totalis*, and the *suspensio partialis*—the *suspensio ab ordine*, and the *suspensio a jurisdictione*—the *suspensio ab officio*, and the *suspensio a beneficio*. Upon all these points, the Bishop of the Diocese may disagree with them. Other Bishops may differ with him, as my Lord of Exeter differs from my Lord of Worcester. Who is to decide between them? The Lord Archbishop of Armagh—the Dean of St. Patrick's—the Earl of Donoghmore, and the Judges of the Prerogative Court? Impossible. This section of the Act of Parliament cannot be made to work consistently with the laws and discipline of the Catholic Church. If the certificate of the Commissioners be more than a counter signature of the certificate of the Bishop—one priest may have the benefice of a parish—another, the cure of souls. So important did the strict maintenance of this branch of the Episcopal jurisdiction appear to the late Dr. Doyle, that when the question of the payment of the Catholic clergy by the State was submitted to him by the Committee of the House of Commons in 1825, he expressed a clear opinion, that unless the Catholic Church were republicanised, and all subordination were done away, it would, in the event of such a measure, be indispensable to make the salaries of all the priests in Ireland absolutely dependent on the mere production of a certificate from their Bishops—excluding all interference direct or indirect on the part of any persons whatsoever. If this Act goes into effectual operation, the present mode of supporting the clergy will, in many parishes, fall into disuse. Priests in such parishes will, from the mere intricacy of the questions sub-



mitted to the five Commissioners, and which they will be quite incompetent to decide, find themselves and their curates in the position of Dr. Hynes, of Guiana, approved by their ecclesiastical superiors, and rejected by a Government Board!

The evil of withdrawing a cause from its proper jurisdiction, to a tribunal in which, from its essential character, it is *coram non judice*, cannot be compensated by mere honesty of purpose in the Judge. It is no answer to say, that the same amount of protection is given to the Protestant Church, for the law upon such subjects, as far as the Establishment can be affected by it, has been settled by a long current of decisions, which have been recognised and enforced by the authority of the State,—or that the Protestant Dissenters are left without any protection,—for their Ecclesiastical polity bears no analogy to ours.\* Besides, equal injustice is very different from impartial kindness, and a measure proposed by “the ~~most distinguished~~ member of the Irish Catholic body” having been, with something very like contumely, rejected, the question is, whether the provisions of this Act are such, as to call upon the Irish Catholics to accept it with gratitude, or justify their Prelates in assisting to carry it into effect? If the Board is to continue at all, the only palliative that occurs to me to this enormous evil would be, to make all the Catholic Metropolitans Commissioners *ex officio*, (something of the kind was in vain suggested by Mr. Sheil) and the certificate of each of them conclusive on all points relating to the usages and discipline of the Church in his province.

On this point, however, I write with very great diffidence. I believe that an appeal upon most of the subjects adverted to would, by the general law of the Church, (subject to any modification of the discipline of the Church in Ireland, introduced by the Council of Trent,) be from a Suffragan to his

\* See the evidence of George Hadfield, Esq, examined before the Mortmain Committee, p. 52, from which it appears that the endowment of ministers and Chapels is inconsistent with the system of the principal denominations, Baptists, Independents, &c.

Metropolitan, and something like the intention concealed Sections 7, 8,  
 under the heap of words crowded into this section, might thus, <sup>9.</sup>  
 without direct violence to the law of the Catholic Church, be  
 carried into effect. I assume of course, that the adoption of any  
 arrangement suggested by Mr. O'Connell is out of the question.\*

VII. And be it enacted, That it shall be lawful for the Lord Appointment  
 Lieutenant or other chief governors of Ireland, with the consent of officers.  
 and approbation of the commissioners of her Majesty's Treasury,  
 from time to time to appoint during his pleasure a secretary or  
 secretaries to the said commissioners, and also such officers, clerks,  
 and servants as may be necessary for the purposes of this Act; and  
 the said commissioners of her Majesty's Treasury shall fix the  
 salary or salaries of the said secretary or secretaries, officers, clerks,  
 and servants in fit proportion, according to the duties which they  
 from time to time may have to perform.

VIII. And be it enacted, That the salaries of the said secretaries, Salaries and  
 officers, clerks, and servants, and also the necessary expenses of expenses.  
 carrying on the business of the said commissioners of charitable  
 donations and bequests for Ireland, not herein otherwise provided  
 for, shall be paid by the commissioners of her Majesty's Treasury  
 out of the Consolidated Fund of the United Kingdom of Great  
 Britain and Ireland.

IX. And be it enacted, That one of the secretaries, or some other Minutes of  
 officer of the said commissioners, shall make minutes of the pro- proceedings  
 ceedings of the said commissioners at their several meetings, and be kept.  
 shall keep a book, in which he shall enter a fair copy of such  
 minutes, and the names of the commissioners present; and the  
 fair copy of the minutes of the proceedings of each meeting shall  
 be read at the next meeting of the commissioners, and if approved  
 as correct shall be signed by the chairman of the meeting at which  
 they shall be so read.

In the execution of the powers vested in the Commissioners  
 by this Act, much will depend upon the character, the ability,  
 and the tendencies of the chief Secretary to the Commissioners.  
 The appointment to this important office is vested in the Lord

\* See Appendix—Mr. O'Connell's Bill.

Section 10.

Lieutenant, but subject nevertheless to the consent and approbation of the Lords of the Treasury. His salary, as well as the necessary expenses of carrying on the business of the Commissioners, are to be defrayed out of the Consolidated Fund. A most just and proper arrangement ! The regulation and limitation of Catholic Charitable Bequests and Donations, in the mode to be presently described, was deemed by her Majesty's Ministers to be an important object of State policy,—it is very fit that the State should pay for it.

Whether the Catholic Committee of Commissioners are to have a Secretary or not does not appear to be as yet determined. The Secretary will hold his office during pleasure, subject to little or no controul by the Commissioners, and absolutely dependent on the Government in England. The great probability is, that before very long, some of the Commissioners will discover that they were intended rather for ornament than for use. Such is the usual course of things on Boards of this description. By dint of steam and of railroads the gratuitous zeal and activity of Dr. Crolly and Dr. Denvir—Sir Patrick Bellew and Mr. Blake, and the well-employed leisure of Dr. Murray, may render this Board a pattern for it's cotemporaries, otherwise "*the Board c'est moi,*" will be the motto of the Whitehall Secretary. He will hold pretty much the same position as Mr. Chadwick occupies at Somerset House. Nor will his duties be in all respects dissimilar, for if I read this Act rightly, a more stringent enactment for the prevention of what that gentleman would call "*out-door relief,*" otherwise charity to the poor in Ireland, could not have been invented.

Commissioners to report.

X. And be it enacted, That the commissioners shall, once at least in every year, and also whenever her Majesty's pleasure shall be signified to them in that behalf, report to her Majesty their proceedings under this Act ; and a copy of every such report shall be communicated to both Houses of Parliament within six weeks after the same shall be made, if Parliament be then sitting, or if not then within six weeks next after the meeting of Parliament.

If there must be a Board, by all means let its proceedings be made public. In this age of Boards and of Commissions, publicity is our only protection against the abuse of good measures, our only ground of hoping for the amendment of bad ones. •

XI. And be it enacted, That from and after the first publication in the *Dublin Gazette* of the appointment of the Commissioners of Charitable Donations and Bequests for Ireland under this Act the property, estate, and effects, rights, claims, titles, and possessions, of what nature or kind soever, of or belonging or which of right ought to belong to the said body politic and corporate created by the said recited Act of the fortieth year of King George the Third, and vested in the said body by virtue of the said Act or otherwise, shall vest in and devolve upon the Commissioners of Charitable Donations and Bequests for Ireland created by this Act, subject to such trusts and conditions, liabilities, contracts, and engagements as the same shall then be subject and liable to.

XII. And be it enacted, That the said Commissioners of Charitable Donations and Bequests for Ireland may sue for the recovery of every charitable donation, devise, or bequest intended to be applied in Ireland, which shall be withheld, concealed, or misapplied, and shall apply the same, when recovered, to charitable and pious uses, according to the intention of the donor or donors; and the said Commissioners shall be empowered to deduct out of all such charitable donations, devises, and bequests as they shall recover all the costs, charges, and expenses which they shall be put to in the suing for and recovery of the same: Provided always, that no information shall be filed, or petition presented, or other proceeding at law or in equity undertaken or prosecuted, by the said commissioners, until the same shall be submitted to and allowed by her Majesty's Attorney or Solicitor General for Ireland, and such allowance certified by him.

XIII. And be it enacted, That no action or suit at law or in equity shall be abated by the dissolution of the said corporation created by the said Act of the fortieth year of the reign of King George the Third, but that the Court in which any action or suit shall be depending at the time of the commencement of this Act may, if such Court shall so think fit, upon the application of any party to the said action or suit, allow the name of the Com-

Sections 11,  
12, 13, 14.

Property, &c.  
belonging to  
body corporate  
created by  
recited act  
40 Geo. 3, (1.)  
vested in com-  
missioners  
under this act.

Commissioners  
may sue for  
recovery of  
charitable  
donations, &c.  
withheld, &c.

Proceedings  
not to be un-  
dertaken till  
submitted to  
attorney or  
solicitor gene-  
ral.

Actions not  
abated by  
dissolution of  
corporation  
created by  
40 Geo. 3, but  
same may be  
prosecuted by  
commissioners  
under this act.

missioner of Charitable Donations and Bequests for Ireland incorporated by this Act to be substituted in the place of the said commissioners created by the said statute of the fortieth of George the Third, and such action or suit may be prosecuted and defended in the same manner as if the same had been originally instituted by or against the said Commissioners incorporated by this Act.

Commissioners  
not to pay costs  
to attornies,  
&c. unless  
amount ap-  
proved by the  
Treasury.

XIV. And be it enacted, That no sum shall be paid by the said Commissioners of Charitable Donations and Bequests for Ireland to any attorney or solicitor, as and for costs, charges or expenses, unless the amount of such payment shall first have been approved of by the Commissioners of her Majesty's Treasury ; and before any such sum shall be allowed by the said Commissioners of the Treasury on such account as aforesaid the particulars of all such costs, charges, and expenses shall be laid before them.

Unless I very much mistake the meaning of these sections, any donations and bequests for charitable purposes, which may have been discovered and confiscated under the provisions of the 40 Geo. 3, c. 1, by virtue of the *cy près* constructions, which have been described, and heretofore vested in the body politic and corporate by that Act created, are now, together with all records, evidences, and titles relating to them, *vested* in Dr. Crolly, Dr. Murray, Sir Patrick Bellew, and Mr. Blake, to be by them henceforth applied to purposes which "the pious donors would, if now living, abhor." That there may be no mistake about the matter, such property is to vest in the new Commissioners, "*subject to all such trusts, conditions, liabilities, contracts and engagements as the same shall now be subject or liable to.*" Nay, it shall be lawful for the Court in which any suit at law or equity was depending at the time of the commencement of this Act, on the application of any party to such suit, to order the names of the three Catholic Prelates, the Baronet, the Privy Councillor, and their fellows in the new Commission, to be substituted for the defunct body corporate: the suit proceeding all the while as if no change whatever had taken place. Indeed by the first section the old

Acts are repealed, with this careful proviso, “save as to any things done at any time before the commencement of this Act, all of which shall be and remain good to all intents and purposes whatsoever, as if this Act had not passed.”

What more could the enemies of the Catholic Church desire than that its seal should thus be put to iniquity, of which the counterpart is not attested by the history of any age or of any country?

XV. And be it enacted, That every person or body corporate having in his, her, or their own right any estate or interest, in possession, reversion, or remainder, of or in any lands, tenements, or hereditaments, or any property of or in any goods or chattels, shall have full power, at his, her, and their will and pleasure, by deed duly executed, and attested by two credible witnesses, or by his or her last will in writing, duly executed according to law, to give and grant to and vest in the said Commissioners of Charitable Donations and Bequests for Ireland, and their successors, all such his, her, or their estate, interest, or property in such lands, tenements, hereditaments, goods, and chattels, or any part or parts thereof, in trust for building, enlarging, upholding, or furnishing any chapel or place of religious worship of persons professing the Roman Catholic religion, or in trust for any archbishop or bishop or other person in holy orders of the Church of Rome officiating in any district, or having pastoral superintendence of any congregation of persons professing the Roman Catholic religion, and for those who shall from time to time so officiate or shall succeed to the same, pastoral superintendence, or for building a residence for his and their use: and such estate, interest, or property in such lands, tenements, or other hereditaments, goods and chattels, shall vest in and be holden by the said commissioners, subject to the trusts of such deed and will respectively, without any writ or license other than this act: Provided always, that nothing herein contained shall be construed to render lawful any donation, devise, or bequest to or in favour of any religious order, community, or society of the church of Rome bound by monastic or religious vows prohibited by an act passed in the tenth year of the reign of king George the Fourth, intituled *An Act for the Relief of His*

Persons or bodies may by deed vest lands, &c. in the commissioners, in trust for Roman Catholic ministers in Ireland.

10 Geo. 4, c. 7.

*Majesty's Roman Catholic Subjects*, or to or in favour of any member or members thereof.

Deeds to be  
registered.

XVI. And be it enacted, That after the commencement of this act no donation, devise, or bequest for pious or charitable uses in Ireland shall be valid to create or convey any estate in lands, tenements, or hereditaments for such uses, unless the deed, will, or other instrument containing the same shall be duly executed three calendar months at the least before the death of the person executing the same, and unless every such deed or instrument, not being a will, shall be duly registered in the office for registering deeds in the city of Dublin within three calendar months after the execution thereof.

The Archbishops and Bishops of Ireland, in their memorial of February, 1840, appear to have informed the friendly Government of Lord Melbourne, "That the Memorialists and their Clergymen were trustees of very considerable funds and property, for charitable uses, and that the legacies to them for charities had been, and still were, increasing to a very great extent."

On this hint, inquiries were no doubt instituted by a Government, the Members of which have hitherto most consistently acted upon the avowed principle of doing nothing for the Catholics of the Empire, which is not forced upon them by irresistible duress, and it was discovered that the amount of property placed at the disposal of Catholic Trustees, generally Priests and Bishops, for religious and charitable purposes, is not less than £4,000*l.* per annum; a degree of munificence, which, when viewed through the medium of unfounded alarm and prejudice, appeared sufficient in its possible continuance, to secure to the Church, preserved by the mercy of God, as the guide and instructress of the faithful Irish people in this life, and their consolation when life is to be no more, as much of the just weight of permanent established property, as might, under our free constitution, exert a sensible and certain influence on the Government of that country.

Neither Whig nor Tory Administrations having yet made up Sections 15, 16. their minds to admit the great Catholic institutions and establishments of the Irish people into their schemes of Conservative policy; "THIS WAS THE MISCHIEF TO BE REMEDIED,"—and to be sure, it has been done, with a degree of vigour, sagacity, and contrivance, which makes one hope, that the chief actors in it were influenced by a conscientious, though mistaken, belief, that they were discharging a meritorious duty. Yet the Bishop of Beauvais, who took into his head, that France should have no allies that were not Catholics, and insisted as a preliminary to negotiations with the Ambassadors of the United Provinces, that their Masters should embrace the doctrine of transubstantiation, and have High Mass sung at the Hague\*—was not more absurd than they are, if they still cling to the hope of governing Ireland upon the principle of ignoring, instead of cherishing the religious Establishments of its people. Had they but the wisdom to see how easy it is to deal with men who, content with honourable poverty for themselves, ask for nothing from the State, but protection, independence, and the means of usefulness, to the poor flocks whom they serve, and how firm a bulwark of National power and Union the contentment of such men on their own principles would be; there would be no need of resorting to schemes like this to avert a danger, which, but for the obstinate abdication of the real duties of the Queen's Government to her Catholic subjects in Ireland, could have no existence.

Foreign Powers, Protestant and Catholic, however jealous of Papal interference, entertain no apprehensions on this head. I learn, from the evidence given before the Mortmain Committee, by Mr. Adolphus Bach, an intelligent German gentleman of the Lutheran Church, that in France and Austria, and Prussia, any amount of real property may be held by Ecclesiastical corporate bodies, subject, in Austria, to some degree of supervision, but to no other limitation or restraint than such

\* *Droit public de l'Europe* by the Abbe de Mably—*Principes des Negociations*, Chap. 18.



as may be necessary to secure to the ascendants and descendants of a testator the *portio legitima* of the civil law. For Prussia, indeed, by a Concordat between the King of that country and the Pope, it was provided, that from the year 1833, the income of the Catholic Bishops, Deans, and Chapters, should be derived from land to be freehold of the Church, and that the Government should buy the domains necessary for that purpose,—not a mere pension to be annually debated, voted, or curtailed, according to the caprice of the representatives of those who profess a different faith—not “to rise and fall with the Euripus of funds and actions,” and run dry, perhaps, altogether, if financial difficulties should overtake us; but a settled and fixed provision, resting upon the same foundation as all other property, not to be touched without alarm to the owners of other property, the law of the land.

The show of something like this, is no doubt provided in the 15th section of the Act before us—but it is mere show, words, and nothing more. That section contains the only enabling provision of the Act; all the rest, beyond the civility before adverted to, is incapacity and restraint. Power by this section is given to any person to leave any sort of property to the new Commissioners, in trust, for the purposes, and for the persons and their successors in that section mentioned, but subject to this most effective limitation (rivetted on us by the 16th section), that no donation, devise, or bequest, for pious or charitable uses in Ireland, shall be valid to create or convey an estate in lands or tenements for such uses, *unless the instrument, deed, or will, shall be executed three calendar months at least before the death of the person executing the same*, and duly registered, if not a will, within three months of its execution.

That this limitation was designed for the express purpose of diminishing the amount of property held by any tenure or in any hands—for Catholic, charitable, or Ecclesiastical purposes, no one who reads it can doubt. Was it suggested by previous inquiries ascertaining the relative amount of bequests made at a distant period, or recently before the death of testators?

The result of no such inquiries has been made public. Have Sections 15, 16. flagrant instances of the unjust disinheritance of natural heirs by Catholic testators lately occurred, to make deathbed donations which were deemed tolerable enough, when administered under the Act of 40 Geo. 3, intolerable now? Nothing of the kind. Are there reasonable grounds for believing that the alarms of dying sinners are worked upon by pitiless and unscrupulous priests with the sanction or connivance of their superiors? The reverse (issue being joined on an allegation made to that effect by a Right Reverend Prelate\*) had been, when this Act passed, notoriously established before a Committee of the House of Commons, composed (with the exception of the same Catholic member to whom the government are indebted for the suggestion of acknowledging respectfully in this Act the ecclesiastical rank of the Irish Catholic Prelates) of Protestant members. It is a restraint in direct opposition to a principle than which none is better established in the law of England (subject to the exceptions introduced by the Mortmain Act) that putting aside wife and children, ascendants, descendants, and collaterals, a man may leave his property to whomsoever he thinks proper. Then why was this limitation enacted? How can it be justified? How are the Irish Catholics, priests and people, to be reconciled to it? By the assurance, it seems, that "it affects Protestants as well as them, and is much more limited than that which affects the Protestants of England!"† The unsuspecting goodness of the venerable Archbishop has been imposed upon—on both points he is mistaken.

First, as to the Irish Protestants. •No Church in the world, with reference to the number of its members, is so richly endowed. I do not mean to say that the incomes of individual clergymen, where they have any duties to perform, are excessive. I am inclined to think the contrary is generally the case, and I cannot mention a body of men from whom I conscientiously differ, without admitting that their charities have been, in many cases,

\* See the evidence of the Bishop of London, before the Mortmain Committee, *post*.

within my own knowledge, impartially bestowed on Catholics and Protestants; and their lives such, as to disarm all that personal hostility which might naturally be expected to exist in the minds of men, who rejecting their ministry, feel that the revenues which are raised for their support, are burthens which ought not to be borne. When do we ever hear of an outrage committed upon, or even an incivility offered to a Protestant Priest or Bishop? Besides their opinions in matters of faith, the clergy of the Protestant Church in Ireland have, as a body, but one fault that I know of, and that fault is rather imputable to the State than to them. They look down with contempt and scorn on the Catholic labourers, whose Church was in the Vineyard long before theirs, and whose services are not, like theirs, rejected by the People. They have been taught and encouraged so to do. How should they respect the Priesthood of a Church, which though it be the Church of William of Wykeham, of Chichele, of Sir Thomas More, and of two-thirds of the Christian world, is still unrecognized by the law of the land? All this is the bad result of the temper of the Government, which must be plainly and avowedly altered, if charity and goodwill are desired between Catholics and Protestants in Ireland. But what need has the Irish Establishment of Charitable Donations and Bequests? After securing a competent provision for all the Protestant Archbishops, Bishops, and Priests of Ireland, there is an annual surplus revenue of nearly 100,000*l.* applicable to the building, repairing, ventilating, providing stoves, prayer books, and Sacramental elements for the 500,000 persons who worship in the Protestant Churches! It is amusing, in reading the annual reports of the Commissioners, to observe how puzzled they are to spend it. Oh! for another storm like that of January, 1839,\* by which "three-fourths of the Churches in Ireland were injured in a greater or less degree," to assist them in making up the schedule of their "disbursements, salaries, and incidents!"

These revenues are at the disposal of an Ecclesiastical

\* See the annual report of the Ecclesiastical Commissioners of Ireland to the Lord Lieutenant, dated 12th August, 1839, *post*

Board, established under the Irish Church Temporalities Act, Sections 15, a well concerted measure of reform passed in 1833, under the auspices of Lord Stanley, and which would be worthy of all praise, had its object been, not the Church of a class, but the Church of a Nation. However, the result is, that the Establishment is in a state of more effective order, obnoxious to less odium, and with resources more available to the purposes of its institution, than in any period of its shameful history. Whether the Royal Free Schools, Grammar Schools, English Schools, Diocesan Schools, Military and Naval Schools, Friendly Hospitals, and other such institutions are still practically confined to Protestants, I have not at hand the means of ascertaining; but the National Schools are open to them as well as to Catholics, and the amount (6000*l.*) miserable in relation to their wealth—of their Donations and Bequests to charitable uses, sufficiently attests the fact that they are already abundantly provided for.

His Grace the Archbishop is mistaken, respecting the restrictions now in force in England on Donations and Bequests for Charitable and Religious purposes. The sixteenth section of this Act is, by many degrees, the most restrictive enactment upon the subject of Charitable Donations and Bequests now in force in the three Kingdoms.

Protestant Dissenters, who have few Ecclesiastical Endowments, are, (under the provisions of the 9 Geo. 2, and Catholics under the 2 & 3 Wm. 4, c. 115,) in some cases obliged to avail themselves of the simplest and oldest contrivance to effect their pious intentions, the *fidei commissa* of the Civil law, so called, *quia nullo vinculo juris sed pudore tantum eorum qui rogabantur continebantur*.\* But it is otherwise with the Established Church, and with many of the most important charitable institutions in this Kingdom. Let us see in the first place, how the law stands in England, respecting Donations and Bequests for the benefit of the Established Church.

\* *Institutiones Justiniani*, lib. 2, tit. 23. See the evidence of Charles Gibson, Esq., an eminent Catholic solicitor at Manchester, before the Mortmain Committee, p. 132.

By the 2 & 3 Anne, c. 11, a corporation called the Governors of the Bounty of Queen Anne was erected, to whom her Majesty was enabled to grant in perpetuity, the Revenues of the First Fruits and Tenths theretofore vested in the Crown; and it was enacted, that all persons, (*except persons within age or of non-sane memory, or woman covert, without their husbands*), having in their own right any estate or interest in possession, reversion, or contingency of or in any lands, tenements, or hereditaments, or any property in any goods or chattels should have full power and authority, at their will and pleasure, by deed enrolled, *or by their last will or testament, in writing duly executed*, to give and vest in that corporation, and their successors all such their estate, interest, or property in such lands, tenements, and hereditaments—goods and chattels, for and towards the augmentation of the maintenance of ministers officiating in Churches or Chapels, where the Liturgy and rites of the Established Church were used and observed, and having no settled competent provision belonging to the same, and to be for that purpose applied according to the will of the benefactors, or in default of their limitation and appointment in such manner as her Majesty by her letters patent should direct.

The provisions of this Act had been amended and extended by subsequent statutes, when by the 9 Geo. 2, c. 36, entitled, "*An Act to Restrain the Disposition of Lands, whereby the same become Inalienable*," after reciting "that the public mischief of many large and improvident alienations and dispositions made by languishing or dying persons, or by other persons, to uses called charitable uses, to take place after their deaths, had of late greatly increased," it was enacted, that after the 21st of June, 1736, no manors, lands, tenements, &c. or sums of money should by any ways be given, conveyed, or settled to or upon any person or persons, bodies politic or corporate, in trust or for the benefit of any charitable uses whatsoever, unless by deed indented and executed before two witnesses twelve months before the death of the donor, and enrolled within six months after the execution thereof in the Court of Chancery.

This Act, subject to some exceptions (to be presently noticed,) <sup>Sections 15, 16.</sup> did no doubt for a time, limit the enabling operation of the Statute of Anne, and restrain donations and bequests to the Established Church nearly to the same extent as Catholic donations and bequests are restrained by the recent enactment. *But by the 43 Geo. 3, c. 107, the Governors of Queen Anne's Bounty were excepted from the operation of the 9 Geo. 2, c. 36.*

The 45 Geo. 3, c. 84, makes it lawful for any persons having in their own right, money, goods, chattels, and effects, to give the same with or without deed or deeds, enrolled or not enrolled, to the Governors of Queen Anne's Bounty, for the purposes of the Act establishing that corporation. Large sums of money, as much I believe as 1,100,000*l.* have been placed at their disposal by Parliament, and although the augmentation of livings from their fund, has by a bye-law of their own been limited to those which do not exceed 200*l.* per annum, this may be altered at any time.

"The Mortmain Act", (says the Bishop of London, in his evidence before the Mortmain Committee,) "has been relaxed to a more considerable extent in favour of the Church than people are generally aware of. It is competent to any person to convey land or give money to the Governors of Queen Anne's Bounty, not merely for their general purposes, but for the augmentation of any particular benefice. So that in fact a great deal may be done by persons who go the right way to work, either by augmenting insufficiently endowed benefices or otherwise."\*

Mr. Hodgson, the Secretary to Queen Anne's Bounty, was also examined before that Committee.

"Will you state," he is asked, "what are the real facilities under the Act 43 Geo. 3, c. 107, excepting Queen Anne's Bounty, from the operation of the 1 Geo. 2, c. 36, for granting all property for the purposes of the Church?"

Answer—"All such property may be given or devised to the

\* Report, p. 82.

Governors of Queen Anne's Bounty without any restriction arising from the 9 Geo. 2, c. 36. There are no practical difficulties in the way of people disposed to bequeath or devise real property to the Governors for such purposes."\*

This may suffice to show how very different the law as it relates to the Protestant clergy of England is from that provided by these sections for the Catholic clergy of Ireland. The facilities also, under the Church Building, Act 3 & 4 Vict. c. 60, and previous statutes for endowing Churches or granting land for Church purposes, exempt from the provisions the Statutes of Mortmain, are most extensive Bequests *by will*, for building, repairing, or otherwise providing of Churches and Chapels in England and Ireland, are, indeed, by the 43 Geo. 3, c. 108, restrained, unless such will be executed three calendar months before the death of the donor or testator, but it would be a mere mockery to pretend that the two religions are for these purposes in either country placed upon the same footing. The means of one Church are permanent, and, under recent Acts of Parliament, abundant—of the other miserable and precarious in the extreme.

Again,—from the operation of the 9 Geo. 2, c. 36, the two Universities of Oxford and Cambridge, and all the colleges or houses of learning connected with them, as well as the Colleges of Eton, Winchester, and Westminster are expressly excepted. These are the nurseries of the ministers of the Established Church, the objects of the parental care and protection of the State. In the dioceses of Armagh, Clogher, Down and Connor, Kilmore, Meath, Dublin, Kildare and Leighlin, Ossory, Ferns, Cashel, Tuam, Achonry, and probably others, there are Catholic colleges established under the inspection and superintendence of the Bishops and their Clergy, for the education of the youth of Ireland, in which the system of studies comprises the usual course of classical and mathematical learning, modern languages, natural and moral

\* Report, p. 181.

philosophy and divinity, taught, as far as my observation on rather a limited scale here in England, and to some extent also in Ireland, enables me to judge, in a mode which would render the scholars of those establishments quite adequate to a competition with the ordinary run of such *alumni* of their more favoured sisters, as it has been my good fortune to meet. All such institutions are in legal intendment comprised under the word Charities, in this Act of Parliament. Why are they all clasped in the destructive hug of these generous benefactors? Because they still cling to the insane delusion of weaning the Irish people from their religion. In the sure and certain hope that it will please God at length to bless their pious efforts in His service, their system is to keep their own Church in a state of perfect efficiency, to eradicate in each locality the more shocking deformities which, until lately, made her hideous and detestable, to economise and render available all her resources, while they stint, and starve the exertions of the Catholic Establishment. Accordingly having learnt that property to the amount of 35,000*l.*, had been left to one Catholic Bishop, for purposes of religion or education—this Bill is forthwith brought in to prevent the growth of so alarming an evil.\*

By the law of Scotland, if a person ill of the disease of which he died has executed a deed, conveying or burdening his heritable estate to the prejudice of his heir, he is presumed to have acted under the undue influence of importunity, and the heir may have redress. It is essential to the operation of this law of deathbed incapacity as opposed to what is known by the name of *liege poustie*, that the deceased should at the date of the deed have been ill of the disease of which he died. If cut off by an accident occurring after its execution, the deed cannot be reduced. In opposition to the presumption of weakness, and in support of the contrary presumption of competent strength to resist importunity, two tests have been established—survivance during sixty days, and going to Kirk

\* See Lord Wharncliffe's Speech in the House of Lords on the second reading.



or market unsupported; and it is "enacted that it shall be" sufficient exception to exclude the reason of deathbed as to all bonds, dispositions, contracts, or other rights that shall be made and granted by any person after the contracting of sickness, that the person live for the space of threescore days after the making and granting of said deeds, albeit during that time he did not go to Kirk or market: provided always, that such deeds may be reduced if it shall be alleged and proven that the person was so afflicted by the disease at the time of the doing of the said deeds that he was not of sound judgment and understanding.\*

This is the extent of the restriction imposed by law upon Bequests of property to charitable or other purposes† in Scotland; and this law by the express provision of the 2 & 3 Wm. 4, c. 115, by which the Catholics of Great Britain are placed in the same position in respect of their charities, as the Protestant Dissenters under the 9 Geo. 2, is preserved to the Catholics of Scotland.

When reduced therefore to its simplest expression, the consolation which his Grace the Archbishop offers to the Clergy and Laity of his Diocese, amounts to this—"You are not now in a worse position than the Protestant Dissenters and Catholics of England, bodies who like yourselves, until lately, have been the objects of unrelenting persecution and restraint. The Charities of the Established Church of England,—of all classes in Scotland, even Roman Catholics, are deemed worthy of more indulgence—but indulgence is not for you—wherefore, take exhortation, have peace, and be of one mind." *O passi graviora Deus dabit his quoque finem.*

I collect, from the resolutions passed at some recent public meetings, that an impression exists in Ireland, that the sixteenth

\* 1696, c. 4. 10 Acta Part. 33. Bell's Principles of the Law of Scotland, p. 647.

† See the evidence of the Lord Advocate before the Mortmain Committee, p. 136.

section was enacted in a spirit of deliberate insult to the Catholic clergy of Ireland. Nothing, to be sure, much more imbecile can well be imagined, than innocence of a suspicion that such an enactment would give offence, but I do not suppose that any affront was intended. Those who have not witnessed it can scarcely conceive the ignorance of persons in England, otherwise well informed, of the tenets, opinions, and religious practices of Roman Catholics. The religions of Zoroaster and of Confucius are almost as well understood. I should rather think it was taken for granted, that the large amount of Catholic Bequests and Donations for charitable purposes—which were discovered by the researches of Government, must have been the produce of priestly extortion at the deathbeds of the languishing and the dying.

Sections 15,  
16.

“In our Church,” says the Bishop of London, in his evidence before the Mortmain Committee,\* “there is no danger of such abuses, it merely instructs the clergyman, when visiting a dying man, to exhort him to settle his worldly affairs, *and be liberal to the poor*. But it is otherwise with the Church of Rome, which, according to Thomassinus, holds, that there are three most convenient modes of washing out the stains of sin; alms, prayers, and fasting, and that it is reasonable that one of these fountains should flow abundantly, when the others fail and are dried up.”

All seems yellow to the jaundiced eye. I am not acquainted with the writings of Thomassinus, or the degree of authority they have in the Catholic Church. But the real meaning of these words, if they apply to deathbeds at all, would appear to be, that when the hour approaches after which the dying sinner can neither fast nor pray, he should, if he have the means, “*be liberal to the poor*.” The Bishop, though he had carefully translated the passage from the Latin, understood it otherwise.

“I may add,” said his Lordship, “that I have been informed on an authority which I believe to be credible, that an eminent

Roman Catholic of the present day, in England, said, that if the Mortmain Act was repealed, he would require no other measure in favour of the Roman Catholic Church."

"Do not you think," he is asked, "that the fear of creating scandal, and also of creating a jealousy against the Roman Catholic Church itself, would act as a strong check against any member of that Church abusing the power which such liberty would give to them?" "They will hold it," answered his Lordship, "anything but a scandal."\* This cool conviction of the habitual abuse by our clergy of the influence of their ministry to the undue enrichment of themselves and their Church, was probably shared by the framers of this Act. Their primary object was to cripple the resources of the Catholic Church. In the avidity of its pursuit, it never occurred to them that the Catholic Laity would object to an enactment applying a remedy to an evil deemed, without inquiry, to have been long notorious.

With the assistance, however, of a Catholic member, and after examining several witnesses, Protestants and Catholics, respecting the practice of the Catholic Church in these countries and abroad, the Committee arrived at a clear conviction that the calumny was groundless, and on the 24th of July, about a fortnight before this Act received the Royal assent, reported accordingly to the House of Commons.

From what has been said it is plain that this restriction was not imposed on Charitable Bequests in Ireland, for the purpose of assimilating the law of that country to the law on the same subject in England or in Scotland. If on the ground of proved abuses, such as are recited in the preamble of the 9 Geo. 2, c. 36, it had been considered expedient, as a measure of general policy, to adopt the Scotch law of Deathbed—for the law of the United Kingdom respecting Charitable Donations and Bequests—or if security had been taken, by requiring the presence of a magistrate, or a Commissioner appointed by the superior Courts, that a languishing and dying man was in

the possession of a sound and disposing mind at the time that he executed a deed by which bequests of property were made to charitable or religious uses—the Catholics of Ireland would not have so much reason to complain. But this clause is a special restriction upon them, the less endurable, because the tendency of public opinion in England, of late years, has been to narrow, rather than extend, the operation of the Laws of Mortmain.

XVII. And be it enacted, That it shall not be lawful for any such archbishop, bishop, or person in holy orders of the church of Rome to alien, set, let, or in any manner demise for any period whatever such lands, tenements, or hereditaments, or any part thereof, or in any manner whatever to charge or encumber the same, or any property enjoyed by him under this Act, but that all charges and incumbrances upon such lands, tenements, and hereditaments, or other property, and all conveyances, gifts, grants, demises, or sub-demises of the same or any part thereof, made or to be made by any such archbishop, bishop, or other person in holy orders of the church of Rome, shall be absolutely void: provided always, that it shall and may be lawful for the said archbishop, bishop, or other person in holy orders of the Church of Rome to execute such leases as hereinafter are mentioned.

XVIII. And be it enacted, That it shall and may be lawful for the said commissioners of charitable donations and bequests for Ireland, from time to time, by deed under the common seal of the said commissioners, to demise or lease the said lands, tenements, or hereditaments, or any part thereof, by and with the consent of the said archbishop, bishop, or other person in holy orders of the Church of Rome, or those who respectively shall succeed them as aforesaid, testified by his or their being a party to and executing such lease, for any term not exceeding twenty-one years, unless on building lease, in which case such lease may be granted for any term not exceeding one hundred years: Provided always, that the said lease shall take effect in possession, and not in reversion or by way of future interest, and that there be made payable during the estate or interest thereby created the best yearly rent that can be reasonably obtained for the same, without any fine, premium, or foregift for the making thereof being paid or payable to the said commissioners, or to the said archbishop, bishop, or other person

Sections 17,  
18.

Archbishops,  
&c. not to alien  
or demise  
lands, &c.  
enjoyed by  
them under  
this act.

Commissioners  
of charitable  
donations, &c.  
may lease said  
lands, &c. with  
consent of  
archbishop, &c.  
of Church of  
Rome.

in holy orders of the Church of Rome ; and provided that there be contained in every such demise or lease a covenant for the payment of the rent thereby reserved, and a condition for re-entry on non-payment of the rent or any part thereof for twenty-one days next after the same shall become due, and so that the lessee or lessees therein named do execute a counterpart of the said demise or lease, and be not in any manner made punishable for committing waste.

By these sections, the policy of the Government, disclosed by the two former ones, is very effectually carried out. Having first imposed restrictions on Donations and Bequests for Catholic Charitable Uses, so stringent as certainly to restrain within narrow limits, their future increase ; the next point was to deprive those for whose benefit they were intended, of all the influence which is naturally attached to the ownership and possession of land. If there had been a really sincere intention of encouraging a higher estimation of the Bishops and Priests of the Catholic Church of Ireland, on the part of those who have hitherto been taught to look down upon them as persons, exercising functions, and assuming jurisdiction unknown to the laws—this contrivance for augmenting by their property the patronage of the Government, had never been thought of. If, for example, the Commissioners should have property bequeathed to them for building and furnishing the Cathedral of Longford, the Bishop of Ardagh would have no right to direct the application of the bequest, or to enter into contracts for that purpose. All this will be the business of the Board, or rather of the Secretary from Whitehall. If, again, an Archbishop, Bishop, or Priest, should venture as an elector, to take any prominent part in the constitutional struggles of his countrymen, and thereby be the means of thwarting or defeating a candidate supported by the Government—nothing so easy as to select tenants for lands devised to the Commissioners, in trust for him and his successors—among those, who make no scruple of treating his person and his sacred office

with contempt and derision. The leases executed by the Commissioners must be countersigned by him, under the penalty of leaving the land from which his income is derived, unproductive; he is to have none of the rights or powers of a landlord. \* If the rent be in arrear, he cannot enter nor distrain, nor do anything but memorialize the Dublin Board. He will not have the power of encouraging improvements, by a liberal treatment of deserving occupiers, or showing mercy and forbearance to industrious tenants, overtaken by unforeseen distress. In fine, not he, but the Government Board—the Commissioners appointed during pleasure—the Secretary selected and paid by the Treasury, will have and exercise all the weight and influence, direct and indirect, which attaches to the property of his Church. • The signature of leases by him, under such circumstances, must soon become an annoyance—a form of no other significance than to remind him and others, that he is a mere Stipendiary, not indeed of the Crown, but of persons appointed by the Crown, and removable at its pleasure. It is not indeed very clear, whether, without the consent of the Board, an Archbishop or Bishop may live in a house devised for his special use and occupation. The course, I presume, will be, that the Lord Lieutenant will appoint collectors in the different districts or divisions (the word “diocese,” is carefully excluded from the Act of Parliament), to collect the revenues of the Catholic Church, in the same way as the Land Tax and the Assessed Taxes are collected in England. In course of time, it may perhaps be thought advisable, (as the expenses are to come from the Consolidated Fund), that the Poor Rate, Bishops’ Rent, and Priests’ Rent, should, for economy’s sake, be collected at the same time, and by the same persons; so that one may help the popularity of the other, and all be alike palatable or hateful to the people.

XIX. And be it enacted, That from and after the commencement of this act the vicar-general or his surrogate, and the Vicar general and registrar of Prerogative

Sections 19,  
20, 21.

Court to make return to commissioners of charitable donations, &c. of every charitable donation contained in any will entered in the office of such vicar general, &c.

registrar of the Prerogative Court, shall make a return upon oath to the Commissioners of Charitable Donations and Bequests for Ireland, between the first day of July and the first day of November in every year, of every charitable devise or bequest contained in any will which shall be entered in the office of such vicar-general, surrogate, or registrar, which return shall likewise contain the name of the testator, the name or names of the person or persons to whom probate of any such will, or letters of administration with such will annexed, shall be granted, with the date of such will, probate, or administration; which return shall be lodged with one of the secretaries of the said commissioners; and every such officer as aforesaid who shall neglect to make such return as aforesaid shall forfeit the sum of five pounds sterling, to be recovered by any person who shall sue for the same by civil bill; and the person or persons to whom the probate of any such will or letters of administration as aforesaid shall be granted shall, within three calendar months next after obtaining the same, publish in the *Dublin Gazette*, three times successively, every charitable devise or bequest contained in such will, the name of the testator and date of such will or codicil, and the name of the person or persons to whom such charitable devise or bequest is given and bequeathed, and the name of the person or persons appointed by the testator for the management and direction thereof; and the expense of such publication shall be paid by the said executors or administrators out of the said respective charities; and every such person or persons who shall neglect to publish the same in manner herein required shall forfeit for every such neglect the sum of five pounds sterling, to be recovered by any person who shall sue for the same, by any action of debt, bill, plaint, or information, in any of Her Majesty's Courts of record.

Accounts of the commissioners to be audited by chief or second remembrancer of the Exchequer in Ireland;

XX. And be it enacted, That the accounts of the said commissioners of the sums passing through their hands arising from charitable donations and bequests shall, from and after the commencement of this act, be from time to time audited and declared by the chief remembrancer or second remembrancer of the Court of Exchequer in Ireland; and that the said Commissioners of Charitable Donations and Bequests in Ireland shall cause the said accounts to be made out in such form as the said chief or second remembrancer shall direct, and shall send the same to him, with proper vouchers for their receipts and payments; and the said

chief remembrancer or second remembrancer, after examining each account rendered to him as aforesaid, with the documents annexed thereto, shall settle and declare the same, and shall lodge such account, when so settled and declared, with the clerks of her Majesty's Privy Council in Ireland, who shall send one copy thereof to the said Commissioners of Charitable Donations and Bequests for Ireland, and keep one other copy thereof in the Privy Council Office in Ireland. Sections 21, 22.

XXI. And be it enacted, That it shall be lawful for the said chief remembrancer or second remembrancer to call before him and examine on oath any person whom he may deem it necessary to examine on the matter of such accounts; and every person who on such examination on oath shall wilfully make any false statement shall be deemed guilty of perjury. who may examine persons on oath respecting such accounts.

These sections do not appear to require any particular observations.

XXII. And be it enacted, That this Act shall commence from and after the first day of January one thousand eight hundred and forty-five; and that nothing herein contained shall be taken to avoid or render unlawful any donation, devise, or bequest which but for this act would be lawful, except as to the time within which the deed, will, or instrument containing such donation, devise, or bequest for pious or charitable uses is hereinbefore required to be executed and registered. Commencement of act.

It will be observed from this section, and from section 15, that numerous objects to which the term Charitable donation, in its legal sense, applies, though subjected to the restrictions, are not in any respect assisted by the provisions of this Act.

Bequests of land or money for the endowment of Hospitals, Colleges, Establishments of females bound by religious vows, of which there are, I believe, about fifty in Ireland, mostly Sisters of the Orders of Mercy or of Charity: for Orphan societies, of which there are twenty in Dublin alone, providing on an average for seven or eight hundred poor orphan children: for Asylums for aged men and women: for Asylums for female



penitents, of which there are six in the same city, under the care of those exemplary ladies, who, of all mankind, seem the only persons who imitate to the letter the great example of which we are reminded by the venerable Archbishop, having no object in this world but to "go about doing good," are subjected to the restrictions, but not helped by the enabling section of this Act. Surely all these societies would, in the estimation of a paternal Government, sincerely anxious for the "effectual application of Charitable Donations and Bequests in Ireland," be as worthy of favour and immunity as the Corporation of the Sons of the Clergy; Bedlam Hospital; the Foundling Hospital; the London Hospital; the Magdalen Hospital; the Bath Infirmary; the Royal Naval Asylum; the British Museum; County Lunatic Asylums; Greenwich Hospital; the Seamen's Hospital; St. George's Hospital; all which excellent institutions have been exempted from the operation of the Mortmain Acts.\* I ask, rather in sorrow than in reproach, how it happens, that sixteen years after the avowed alteration of the policy of the laws respecting Catholics by the Catholic Relief Bill, this injustice should still continue? But the Bishop of London will supply the answer. "The policy of the Government respecting Roman Catholics in matters which may in any way assist the propagation of their principles is essentially" restrictive and "defensive."† Their religion is still proscribed. The strength, the wealth, the peace, happiness, union of the British Empire, are all endangered, because our rulers will not believe the great principle laid down more than fifty years ago for their guidance, by the first and ablest expounder of Conservative principles, Edmund Burke, "*The Catholic Institutions of Ireland must be cherished as a good, and not tolerated as an inevitable evil.*"

With respect to the regular clergy, it is really painful for a Catholic to advert to their legal position. On some verbal assurances, probably very sincerely given at the time, that the

\* Boyle's Law of Charities, Book 2, Chap. 2.

† Report of the Mortmain Committee, p. 87.

letter of the law would not be executed to their vexation, we <sup>Sections 21, 22.</sup> consented, in the delirium of our own Emancipation, to their sacrifice. I agree (if I may be allowed to say so,) with the Irish Law Officers of the Crown, that this new Act adds nothing to the penalties already imposed upon them. It would not be easy to add anything to those restrictions. As to everything else, there are limits to the ingenuity of Legislative proscription. I venture, however, respectfully, to submit that if Charitable Bequests were left by a pious testator, to the Commissioners appointed by this Act, in trust for the Provincials, Priors, or Guardians of the Convents in John-street, Whitefriar's-street, Clarendon-street, Church-street, Denmark-street, Merchants' Quay, Upper Gardner-street, all in the diocese of Archbishop Murray, it would be his duty to inform the Board of the nature of those establishments, and to advise them not to carry the Bequests into effect. It matters very little whether the suit by which the intention of a testator is frustrated be instituted in the name of the Attorney-General or under the 12th section in the name of Dr. Murray and his new colleagues. In the case of the *Attorney-General v. Power*, 1 Ball and Beattie, 145, and in another case before Lord Manners, in 1823,\* the Attorney-General filed his information at the relation of the Commissioners whom Archbishops Crolly and Murray have condescended to succeed. The option of being a plaintiff or a relator is but a sorry alternative.

Having thus very frankly stated what appears to me to be the view which the Catholics of Ireland should take of this important statute, perhaps I may be pardoned for adverting to the general topics relating to Legislation for Religious purposes in Ireland which are connected with it. It may be asked, what is meant by complaining that Catholic Establishments and institutions are excluded from the Conservative policy of the State? Do you advocate two established Churches one protesting against the other, both to be secured by law in co-ordinate rank, dignity,

\* The defendant was the executor of a Mrs. Judith Rush. The bequest was of money "for Masses for her soul's sake."

and authority? Certainly not. Then what could the Legislature do, consistently with the settled principle of maintaining the United Church of England and Ireland, which, within this new meaning of the word Conservative, would amount to cherishing and not merely tolerating the religion of the majority of the Irish people? I answer in the first place, that so far from the present system being effective for the support of the Church by law established in Ireland, its continuance inevitably tends not only to the destruction of that Church, but also to engender such distrust and alienation in the minds of all classes of the Queen's subjects in that country as will, ere long, break out, in bold and irrepressible aspirations for National Independence. Already are the minority—the rich and powerful Protestants of Ireland, in all societies, heard to mutter their suspicion, of a design to play, or, as they say, “again play” false, with their Established Church. The fifth article of the Act of Union, the only one they care about, was more than half repealed by the 3 & 4 Wm. 4, c. 37. Of what value is the Union to them, if the foundations of that Church are to be again brought in question, and the provision secured by it to their families, their chief consolation for the provincial insignificance to which their country is condemned, placed in jeopardy? On the other hand, public conscience in England, awakened to the real state of things by the incessant knocking of the Irish people at our doors—disturbed by the reproach of their misgovernment, and longing above all things to be comforted by the assurance of their happiness and prosperity—will extort reductions in the Church Establishment from Parliament, more than sufficient to disgust the Protestants, too trifling to secure the affection of the Catholics; or to win them from that day dream of Legislative independence, the realization of which would, by the common consent of parties here, amount to a dismemberment of the Empire.

The present policy of the State may be traced, from year to year, in the acts for the establishment of Compositions of tithes,

for the substitution of Rent Charges for Compositions—for Sections 21,  
abolishing Church-rates and Parish cesses—for replacing the 22.  
resources derived from them by a graduated income tax upon  
livings, and the revenues of suppressed Bishopricks. The  
occasions of bitterness being removed by these lenitive but  
not remedial measures, it is hoped that the people may be  
gradually persuaded to discard their own burthensome and  
impoverished Church, and accept the services of the Establish-  
ment. In the meantime, the influence derived by the Queen's  
Government from the enormous patronage of that Church,  
is considered indispensable, because the only direct inducement  
which the members of it have, to uphold the Legislative Union.  
The loss of their nobility and gentry attracted to a splendid  
and luxurious Metropolis in the pursuit of pleasure, connexions  
or ambition, the sepulchral stillness of their beautiful capital,  
the languor of those branches of commerce and manufacture  
on the productions of which the tasteful and the opulent sport  
away the burthen of their superfluity—the political insignifi-  
cance of that profession, which in every period of our history,  
has been prolific of great men for the service of the State,  
are all evils the effect of which upon the Protestants of Ireland,  
as long as civil discord lasts—some great compensation will  
be necessary, to counteract. The compensation hitherto held  
out to them cannot be maintained much longer—they know it,  
and the Minister who, in the presence of the danger which  
thence arises, lacks courage to make friends for his hour of  
need, with the Catholic Hierarchy—or seeks, by destroying  
their independence, to lessen their just influence with the people,  
may be all that a party looks for in a Leader, but is a serious  
misfortune to the United Kingdom.

The notion of converting the Irish Catholics into Protestants  
is a Will o' the Wisp,—by which it is not only dangerous, but  
disgraceful to be misled,—the Irish Protestants are quite  
as likely to be converted into Catholics. Other hopes must  
be cherished, other contrivances devised, to maintain the  
influence of the English Government in Ireland.

The Parliament and the Queen of the United Kingdom, have now for the first time since the Reformation, made respectful mention of the National Church of Ireland, and *professed* an interest in the erection and support of Places of Catholic Worship. The concession is, in itself, of little value, but if carried out to its legitimate consequences, it would be productive of important results.

It appears from the Reports laid before Parliament by the Ecclesiastical Commissioners of Ireland, that since the 3 & 4 Wm. 4, c. 37, came into operation, the following amounts of public money have been expended on the building, rebuilding, repairs, expenses of Divine Worship, Bibles and prayer books, for the Churches in which at most 500,000 of a Population of Seven Millions, worship :\*—

			£	s.	d.
1835	-	-	50,022	6	9
1836	-	-	88,693	3	10
1837	-	-	98,766	16	2
1838	-	-	92,044	6	3
1839	-	-	100,942	18	6
" : 1840	-	-	86,437	13	11
1841	-	-	78,996	10	4
1842	-	-	76,011	15	9
1843	-	-	69,769	15	10

Not far short of a million sterling spent during the last ten years, upon Churches and Chapels which the people of Ireland *will not enter*, besides 10,000*l.* per annum for salaries to Commissioners, Secretaries, Solicitors, Treasurers, and Clerks, employed in the collection and expenditure of that sum, and to be employed in like manner and at the like cost, in disposing

\* It appears by the Report for the year ending August, 1843, that since the establishment of the Board, besides extensive repairs to all the Churches of Ireland, seventy-eight Churches have been entirely rebuilt, and forty-eight considerably enlarged. Any one who will take the trouble to purchase these Reports, at the moderate price of one penny each, will be much gratified by the comfortable condition of the Protestant Church of Ireland.

of another million, for the ten years next to come. These funds are derived partly from graduated rates upon all benefices exceeding in value 300*l.* per annum,—partly from the See, houses, and lands of the suppressed Bishopricks of Dromore, Raphoe, Clogher, Elphin, Killala, Clonfert, Kildare, Ossory, Waterford, and Cork, and partly from the Revenues of about sixty dignities, without cure of souls, and benefices in which divine service had not been celebrated for three years next preceding February, 1833, and which have vested in the Commissioners on the death of their incumbents.

That this enormous income can be required for the support of the fabrics of Churches in which the richest classes of the community worship, or for the expenses of divine service in them, no one who knows anything of Ireland can believe. If you really wish to deserve gratitude—not to tolerate only but to cherish the Catholic Establishment,—make over some large proportion of this Revenue to a new Corporation, composed of the Bishops, the Clergy, and Laity of the Roman Catholic Church. Call them, if you please, the “Governors of the Bounty of Queen Victoria.” Let it be their duty, without fee or reward, to employ the funds placed at their disposal in the building, rebuilding, repairing, and furnishing the Churches and Chapels which are now supported by funds, earned by the hard hands of an honest, religious, but justly dissatisfied, peasantry. The State takes no concern in this important matter. The Chapels consequently (I do not here speak of large towns, but in country districts) are mere shells, with patched roofs and earthen floors, damp, dirty, unfurnished places, in which an Englishman cannot see any form of Christian worship celebrated, without a sense of shame, disgust, and indignation. Remembering the prodigality with which the wealth and taste of Catholic nations has, in all ages, been lavished on the temples of religion, the pomp and splendour of the Catholic worship, and the desperate fidelity with which the Irish people, during the long night of proscription and persecution, have adhered to the faith

of their fathers, can we doubt that a generous desire on the part of their Protestant fellow subjects in England and Ireland to alleviate the heavy burthen of their voluntary Church-rates, would be met in a spirit of grateful acknowledgment for present kindness of cordial forgetfulness of past injustice? Surely the possessors of three-fourths of the landed property of Ireland could, without any great effort of liberality, contribute something, should need be of it, to sustain and uphold, to light, warm, and decorate, for their own families and servants—the Churches which the Commissioners have now placed in a state of substantial, and, in most cases, ornamental repair.

The rent-charge paid to a great extent by Catholics Farmers would thus become in some sense a Catholic, and not an exclusively Protestant tax. There would arise in every parish, in the shape of a decent Catholic Chapel, a monument of Protestant regret for Protestant injustice and persecution. As material prosperity increased, the wealth of thankful worshippers would be employed, in the lavish bestowal of the treasures of art and of manufacture to gratify their zeal and love for the beauty of the house of Prayer. Increased civilisation, improved manners, peace and happiness, and even security for the Church of the State, in all its essential usefulness, would, as surely as the night follows the day, be the early rewards of your generosity and your justice. Would not this be better than expecting figs from thistles—or grapes from thorns, as you have done hitherto? You are dealing with a Catholic people—treat them as a Catholic people! Another Knatchbull mutiny (if that still be a name to conjure with) might possibly be got up in England on the announcement of a change like this. One or two distinguished persons, who have registered their resolves that the Irish Church shall be maintained, as it now is, “in all its integrity to the last,” might chaunt their Jeremiads to the House, as Sir Charles Wetherell did in 1829, or my brother Jackson, the other day; and minor men, who, in the hope

of attracting some slight respect for their persons, have hitherto pretended to be Bigots, might offer up supplications for the safety!—of this Protestant State. But what would it all signify in the estimation of a Minister fit to sway the rod of a glorious Empire when compared with the new-born hope, the cheerful loyalty, the exulting gratitude of the Catholics of Ireland?

Nor am I at all sure that these first, most precious fruits of paternal government, would be confined to the Catholic people. My own observation certainly leaves me little reason to doubt of the increased kindness to Catholic interests and institutions of the Protestant gentry and middle classes of Ireland. Twenty years ago, the late Catholic Archbishop of Tuam informed a Committee of the House of Commons, that out of one hundred and six places of Catholic worship in his Archdiocese, nearly one hundred were thatched, only fifteen to eighteen slated, that he had no funds whatever applicable to their improvement, except the voluntary contributions of the faithful, of the Bishops and clergy, and the aid received by them from their Protestant brethren and neighbours. His Grace added, that having frequently taken part in the collection, *he did not recollect any instance of being refused by a Protestant gentleman when he applied to him to contribute towards a Chapel.*

Such a reform, in conjunction with other measures analogous to those by which, as we have seen, the charitable endowments of England, are fostered and protected, would be my idea of the commencement of a policy, conservative, of the Catholic interests and institutions of the people of Ireland.

In no quarter, however, Protestant or Catholic, Whig or Tory, has the possibility of such a change been thought of. Disputes with other nations may be adjusted, but with Ireland our battles must be fought out. It is assumed, on all occasions, as a fixed principle of policy, that the Churches, the Colleges, the public Charities of the great majority of



that people are to receive no assistance or encouragement from the State. Indeed, their own hopes have not yet aspired (such is the benumbing influence of unmerited neglect,) to more than a permission to defray the charges of such Establishments out of their own means, and to secure the due and permanent appropriation of their money, for the fulfilment of their benevolent intentions. The question is, how that may best be done, and this leads us at once to consider whether there really were, any valid and substantial objections to the Bill which Mr. O'Connell introduced, and which this unfortunate measure has superseded.

After reciting that any real or personal estate might now lawfully be conveyed to any persons in trust for Roman Catholic Archbishops, Bishops, and Priests of any district or of any parish in Ireland for the time being, and that the intervention of trustees in such conveyances had been productive of inconvenience and insecurity, Mr. O'Connell proposed to enact, that every Roman Catholic Archbishop, Bishop, or Priest of any district or parish in Ireland, for the time being, should by the name or description of Roman Catholic Archbishop, Bishop, or Priest of such district or parish, be for the purposes of that Act, a body politic and corporate, and have perpetual succession, and might receive and take to him and his successors any real or personal estate or effects whatsoever which any person or persons, or bodies corporate, might give or grant to him by deed or otherwise, according to law.\*

It then provided that the Roman Catholic visitors of Maynooth should keep a book at that College, in which an entry should be made of the name of every Archbishop or Bishop

\* By 1 Geo. 1, c. 10, s. 4, the Churches, Curacies and Chapels augmented by the Governors of Queen Anne's Bounty, are made from the time of such augmentations, perpetual cures and benefices; and the Ministers duly nominated and licensed thereunto and their successors are declared to be bodies politic, to have perpetual succession, and a legal capacity to take in perpetuity to them and their successors all such lands, tenements, and hereditaments as shall be granted unto, or purchased for them, by the said Governors.

of any district, the date of his appointment, and of the parishes comprised in such district, and that an authenticated copy thereof should be conclusive evidence in any Court of the facts stated therein.

The Archbishops and Bishops were also to keep a book in which an entry should be made of the name of every Parish Priest, and the date of his appointment, and it was provided that an authenticated copy thereof should be conclusive evidence in any Court of the facts therein stated.

This Bill, it will be at once observed, would have remedied all the inconveniences arising from the expense and insecurity attendant upon trust estates. It would have provided for the Catholics of Ireland a secure mode of gradually placing the Dignitaries of their Church in a position of moderate independence; it would have secured to them that degree of influence and consideration which a life estate in probably a very small property would give—and all this without the charge of one shilling to the State, or the least semblance of encroachment on the rights and privileges secured by law to the Protestant Church Establishment. Its effect would have been to have enabled pious Catholics, by deed or will, to do at small expense, by slow degrees, and out of their own property, for their Church, what the Protestant Government of Prussia had engaged by treaty to do for its Catholic Establishment, out of the public revenues of that kingdom. I cannot help thinking that it is matter of deep regret that a measure so entirely free from objection should have been rejected. Much more is it to be lamented for the sake of the character of public men, that a Government professing a desire to conciliate their Catholic fellow-subjects should have forfeited all claim to their confidence, by imposing upon them under doubtful pretences, and without the usual safeguards of consultation and inquiry, an act so penal in its provisions, and so restrictive of their dearest and most cherished interests; but most of all, that Archbishops and Bishops of the Catholic Church should have lent the influence of their venerated names and sacred characters to carry it into effect.

Whatever the consequences may be, it would be idle and childish to conceal that the responsibility is with them. There is no principle that I know of which can excuse the Catholic Laity from the guilt of patient submission in a matter of this vital import, to what they know to be essentially wrong. Their duty, on the contrary is, to meet, to petition, to remonstrate, to use every constitutional exertion to obtain the repeal of this Act, or at all events the resignation of the Catholic Episcopal Commissioners, and in one or other of those objects they will, with God's blessing, succeed, if they are but firm, united, and persevering.

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*A Bill to enable Roman Catholic Archbishops, Bishops, and Priests, in Ireland, to take Grants or Conveyances to them and their Successors, without the Intervention of Trustees.*

[11th March, 1844.]

WHEREAS any real or personal estate or effects in Ireland may now be lawfully conveyed to any person or persons in trust for the Roman Catholic Archbishop or Bishop of any district, or the Roman Catholic priest of any parish in Ireland for the time being : Preamble.

And whereas the intervention of trustees in such conveyances have in some cases been productive of inconvenience and insecurity, and it is therefore expedient to authorize conveyances to be made directly to any such Archbishop or Bishop or priest as aforesaid and his successor, and to enact what shall be evidence in any of her Majesty's Courts of justice to prove who is or at any time may be or shall have been Archbishop or Bishop or priest of any such district or parish as aforesaid ;

Be it therefore enacted, by the Queen's most excellent Majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present Parliament assembled, and by the authority of the same, that every Roman Catholic Archbishop, Bishop or Priest of any district or parish in Ireland for the time being shall, by the name or description of Roman Catholic Archbishop, Bishop or Priest of such district or parish, be, for the purposes of this Act, a body politic and corporate, and shall have perpetual succession, and may receive and take to him and his successors any real or personal estate or effects whatsoever which any person or persons or body corporate may give or grant to him by deed or otherwise according to law. Roman Catholic Archbishops, Bishops, and Priests to be bodies corporate.

And whereas by an Act passed by the Parliament of Ireland in the fortieth year of the reign of his late Majesty George the third, intituled, "An Act for the better Government of the Seminary established at Maynooth, for the Education of Persons professing the Roman Catholic Religion, and for amending the Laws now in force respecting the said Seminary," after reciting that a college or seminary had been established at Maynooth for the purpose aforesaid, it is, amongst other things, enacted, "that there shall be a continual succession of three fit and proper persons professing the Roman Catholic religion as Visitors of the said College : " be it enacted, that the Roman Catholic visitors of the said college for the time being shall cause a book to be kept at the said college by the secretary of the trustees thereof, in which an entry shall be made according to the form given in Schedule (A.) hereto annexed, of the name of every person who now is, or at any time hereafter shall be, appointed Roman Catholic Archbishop or Bishop of any such district as aforesaid, and of the time from which such appointment hath or shall have taken effect, and of the parishes Book to be kept at Maynooth College for entering the names of Roman Catholic Archbishops and Bishops.

comprised in such district, and the same shall be signed by the said visitors, or two of them, and an authenticated copy thereof shall be conclusive evidence in any of her Majesty's said Courts of the facts stated therein.

Roman Catholic Archbishops and Bishops to keep lists of Roman Catholic priests.

And be it enacted, that the Roman Catholic Archbishop, or Bishop of any such district as aforesaid, shall keep a book in which he shall make an entry of the name of every person who now is, or at any time hereafter shall be, Roman Catholic priest of any parish comprised therein, and such entry shall be according to the form given in Schedule (B.) to this Act annexed, and shall be signed by the Archbishop or Bishop making the same; and an authenticated copy thereof shall be conclusive evidence in any of her Majesty's said Courts of the facts stated therein.

Meaning of the term "parish."

And be it enacted, that the word "parish" in this Act shall be held to mean any district which is or may be a parish, according to the ecclesiastical division of the Roman Catholic Church in Ireland.

Act may be altered during present session.

And be it enacted, that this act may be amended or repealed by any Act to be passed in this present session of Parliament.

#### SCHEDULES to which the foregoing Act refers.

##### Schedule (A.)

Be it remembered, that the [Most Reverend Daniel Murray, D.D.] hath been duly appointed, and now is, Roman Catholic [Archbishop] of the district of [Dublin,] and that such appointment hath taken effect from the [ ] day of [ ], and that the said district comprises the following parishes; that is to say, [here insert the names of the parishes comprised in the district.].

Witness our hands this [ ] day of [ ].

[ ] } Roman Catholic Visitors  
[ ] } of Maynooth.

The parts between brackets in this Schedule to be filled up, as the case may be.

##### Schedule (B.)

Be it remembered, that the reverend [ ] hath been duly appointed, and now is, Roman Catholic Priest of the parish of [ ] in the district of [Dublin,] and that such appointment hath taken effect from the [ ] day of [ ].

Witness my hand this [ ] day of [ ]  
[ ] Roman Catholic [Archbishop].

The parts between brackets in this Schedule to be filled up, as the case may be.

LONDON.

PRINTED BY RAYNER AND HODGES,  
109, Fetter Lane, Fleet Street.



In the Press, to be Published in October next,

# LETTERS AND OFFICIAL DOCUMENTS

OF

# MARY STUART,

QUEEN OF SCOTLAND,

COLLECTED FROM THE ORIGINAL MSS. PRESERVED IN THE  
STATE PAPER OFFICE OF LONDON, AND THE PRINCIPAL  
ARCHIVES AND LIBRARIES OF EUROPE,

TOGETHER WITH

*A Chronological Summary :*

By PRINCE ALEXANDER LABANOFF.

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DEDICATED, BY SPECIAL PERMISSION, TO

HER MAJESTY, QUEEN VICTORIA.

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## PROSPECTUS.

AMONG the persons who performed a distinguished part on the historic stage of the sixteenth century, the individual who excites the most lively interest, and induces the greatest sympathy, is, unquestionably, MARY STUART. Than hers, indeed, what biography presents a more chequered or more sorrowful

aspect? Born to the throne of Scotland, called in the spring-time of life to share in that of France, uniting to the lustre of personal attractions every intellectual grace, she nevertheless seems to have been placed on this earth only to furnish a memorable example of the cruelty and the persecutions of fortune. Had it pleased God to preserve to her the throne of France for a longer period, her fate might have been envied: but, compelled, by the premature death of Francis II, to abandon the country of her adoption, she suddenly found herself in a land but little removed from barbarism, where, unassisted and alone, she was too weak to contend against the factions by which her kingdom was distracted. From that moment, too, she was placed in opposition to the English queen. Her enemy almost by nature, Elizabeth regarded her as a rival, and hated her for her title to the English succession. Intrigues and persecutions followed. To defend herself against her adversary, Mary eagerly joined in the religious struggles which marked the character of the sixteenth century. She became the living impersonation of Catholicism, and with Catholicism, therefore, she fell, when that principle was doomed to perish in Great Britain.

This conflict between Catholicity and Protestantism, of which the most critical period precisely embraces the life of Mary and the reign of Elizabeth, has been the study of every historian; while many have employed themselves in collecting and

publishing such documents as they believed suitable for the elucidation of its causes and effects. But notwithstanding the undoubted value of these collections, their insufficiency to accomplish the purpose for which they were intended cannot be denied. Composed almost exclusively of papers emanating from the ministers and agents of Elizabeth, men who participated in all the hostility of their mistress to Mary Stuart and her religion, they serve only to place the question in a one-sided and mistaken point of view. Nor have the labours of Catholics been more fortunate. Their productions have been little more than argumentative refutations, founded indeed on reason, but devoid entirely of documentary evidence : so that, while on the one hand, we have a train of passionate invectives, and, on the other, a body of romantic apologies,\*

\* The correspondence of the French ambassadors, wherein we may look for impartial testimony, remains yet inedited, with the exception of that of Bertrand de Salignac de la Mothe Fénelon, ambassador of France in England from 1568 to 1575. This, which was published a few years ago, under the direction of Mr. Purton Cooper, contains much valuable matter ; but it only embraces a period of seven years of Mary's captivity. The correspondence relating to the most trying time in the life of this princess—the last years of her residence in Scotland—is entirely lost. In spite of all his researches, Prince Labanoff has with difficulty been able to collect two or three letters of Du Croc, who was then ambassador from France to Scotland. Of these the most curious is the one which narrates the closing disputes between Mary and Darnley, and which the prince has thought it necessary to print as an addition to those which were written by Mary herself at that time.



the life of Mary Stuart, attacked and defended by turns, remains still a mystery to the historical enquirer.

With the view of removing the veil, and of making us at length dispassionately acquainted with Mary Stuart from irrefragable testimony, Prince Alexander Labanoff has conceived the felicitous idea of uniting in one work all the letters of this Sovereign, as well as every other writing directly proceeding from her. To realize this noble conception demanded an inflexible resolution and a most vigorous perseverance. The letters of Mary, those especially which she wrote during her long imprisonment, are scattered over every country of Europe. The greater portion are preserved in national archives, to which access is extremely difficult, and in some instances even interdicted by severe regulations. Many also are locked up in the charter-rooms or collections of private families, and there, from motives of domestic secrecy or party policy, strictly secluded; while others repose in the hands of a class of amateurs, who deem the value of their treasures impaired if the substance of their contents is imparted to the public. When these things are considered, the difficulty of procuring even a sight of the papers in question may be fully appreciated. Nevertheless, thanks to the honourable aim which he proposed to himself, to his elevated position in society, and frequently to

the personal sacrifices which he hesitated not to make, Prince Labanoff has seen his efforts crowned with success. After reaping an easy and abundant harvest in the British Museum, in the archives of the Kingdom and Royal Library at Paris, in the libraries of Aix and Besançon, in the Imperial Library at St. Petersburg, and in the archives and libraries of Turin, Florence, Rome, and Belgium, he has obtained, by special favour, unrestricted access to the *State Paper Office* in London. Finally, among the illustrious descendants of those statesmen who have reflected so much glory on the reign of Elizabeth, he has met with many who, animated like himself by a refined taste for historical pursuits, have generously thrown open for his investigation their private charter-rooms. These courteous communications, united with the result of those researches which Prince Labanoff had for many years been making in public repositories, have enabled him to add to the *three hundred* letters of Mary Stuart already public, but diffused over an infinity of different works, FOUR HUNDRED OTHERS HITHERTO UNKNOWN, which throw an entirely new light not only on the life of Mary, but also on the general history of Europe in the sixteenth century. To give an idea of the importance of these documents, it may suffice here to add, that, through the kind assistance of Bishop Kyle, a prelate well acquainted with the literature of Scotland, Prince Labanoff has been enabled to recover numerous letters, *all confidential*, written in cypher by Mary to the

Archbishop of Glasgow, her ambassador in France—letters which were formerly preserved in the Scots' College at Paris, but which were long since supposed to have been for ever lost.

Desirous of making better known the youthful years of the Queen, Prince Labanoff has added to this collection three letters written by her uncle, the Cardinal de Lorraine, to her mother, the Queen Dowager of Scotland, in which is contained some extremely curious and interesting information respecting the early years of her residence in France.

This collection of SEVEN HUNDRED LETTERS will form about five or six volumes in octavo. They will be arranged in chronological order; and, with a view to prevent the labour and trouble of research, they will be accompanied by Notes and Illustrations, and by a Chronological Summary, which will enable the reader to discover at a glance the events to which the letters make allusion.\*

\* Prince Labanoff has devoted his utmost attention to this chronological summary, on the importance of which it is unnecessary to dilate. He was desirous that it should present a complete *tableau* of all the events which had an influence on the life of Mary Stuart; and, with this view, he has availed himself of whatever information could be derived from original sources. The chronological summary which he prefixed to a specimen volume, published by him in 1839, was but a simple essay, which he has entirely revised, and considerably augmented. He cannot but regret exceedingly, that this first attempt should have been twice printed in English, by Miss Agnes Strickland, "with all its imperfections on its head."

As historical and political documents, the letters of Mary Stuart possess an unquestionable interest, of which it is unnecessary to speak. But, besides this, they offer a great literary attraction; for many, which are autograph, may be compared, without disadvantage, in the vigour and elegance of their style, with all that the sixteenth century has left to us that is excellent, in this species of composition. Most of these letters are written in French; a very great number in the English or Scottish dialects; some in Latin, and some in Italian. As the collection aspires to the dignity of a work destined for cultivated minds, it has not been thought expedient to translate, any more than to modernize the style of these letters; on the contrary, it is proposed to publish them with the most scrupulous fidelity, and invariably, where the original or an early copy has existed, they have been collated with the utmost care. Moreover, to render the contents of the work more easily accessible, as well as for the sake of those who have not made a particular study of ancient historical writings, there has been prefixed to each letter a summary sufficiently clear to supply the place of a translation; while the last volume will, in addition to a general table of contents, alphabetically arranged, contain a glossary of English, Scotch, and French words and expressions, now become obsolete. Finally, the publication will be terminated by a bibliographical notice of all the printed works which contain letters from Mary Stuart.

Her Majesty, Queen Victoria, has graciously condescended to accept of the dedication of this Collection of the Letters of Queen Mary; and Prince Labanoff has done everything in his power to render this publication worthy of the high honour thus conferred upon it.

With respect to the typography, nothing has been neglected to entitle the work to rank with the finest publications of the day.

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# A FRAGMENT

IN

## REPLY TO A FRAGMENT,

BY THE LATE

REV. SYDNEY SMITH.

---

BY THE LATE

GEORGE FITZGEORGE, ESQ.

---

CALCUTTA :

PRINTED FOR THE EXECUTORS.

---

1845.



## PREFACE.

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THE following unrevised fragment, found among the papers of the late George Fitzgeorge, Esq is printed by his executors, being evidently intended as a reply to the posthumous fragment of the Rev. Sydney Smith.

JULY 30, 1845.



# ERRATA.

- Page 7, line 15, for "Hypocrisy" read "Hypocrisy."  
,, 12, ,, 15, for "boated" read "boasted."  
,, 14, ,, 7, for "synonymous" read "synonymous."

# A FRAGMENT

IN

## REPLY TO A FRAGMENT.

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WITHOUT for a moment doubting your perfect faith and belief in “the great truths established at the Diet of Augsburg,\* or your conscientious practice of the precepts which it was your profession, and it is to be hoped, your happiness to inculcate, a higher opinion might have been formed either of your candour or discernment or perhaps of both, had you represented the “well-paid Protestant clergyman” as quite indifferent to the truth or falsehood of the “doctrine” preached by him “to stools and hassocks,” and to which he was indebted for his

\* “Furious against the errors of Popery, and willing to lay down their lives for the great truths established at the Diet of Augsburg.”—*Sydney Smith's Fragment.* \*

“ well-windowed” and “ well-roofed house” and its many agreeable adjuncts—“ and furious” only against those “ errors,” and thinking none so great as those which might in any way affect his comfortable position. Is it possible for an instant to look upon the hero of the Leinster story\* either as a man of honor or honesty? much less as a true and sincere Apostle and follower of the Master whom he professed to serve? Is it possible to believe him, or the class of which he is made the representative, influenced by any other views than those of self-interest—the monopoly of the loaves and fishes? and yet you—venerable ghost, conclude your story by saying that you “ don’t know that the clergyman behaved improperly, implying that you saw no reason to doubt his being a conscientious and honorable man and worthy Apostle!

The simile† which you are inclined to

\* “ Now the sexton’s wife is in very delicate health : when she cannot attend, we cannot muster the number mentioned in the rubric ; and we have, therefore, no service on that day.”—*S. S.*

† “ We *will* have a butcher’s shop in every village, and you, Hindoos, shall pay for it. We know that many of you do not

suspect Tom Moore of having pilfered from you, even if reduced to practice, would be venial in comparison with the enormity of the Irish Protestant Church Establishment, in as much as it does not suppose the Beef-shops of Hindostan distorted by clerical sophistry into temples of worship, nor the bleeding bullocks into sacrifices to the honor of God—the sirloins themselves would unmistakably point out the English shrine to which they were sacrificed—and although the Hindoos might with justice complain of tyranny and oppression, they could not add to it the more disgraceful charge of unprincipled, and debasing Hypocrisy.

The revenue of the Irish Parochial Priest,—in most cases beloved and respected by a large congregation, “is made up of half-pence and potatoes, rags and bones,”\* while the Leinster Padre, et id

eat meat at all, and that the sight of beefsteaks is particularly offensive to you; but still, a stray European may pass through your village, and want a steak or a chop: the shop *shall* be established; and you shall pay for it.”—*S. S.*

\* “The revenue of the Irish Roman Catholic Church is made up of half-pence, potatoes, rags, bones.”—*S. S.*

genus omne, grow fat on the “rolls and butter,” “eggs,” and “slices of ham” furnished from the revenues which were, and ought to be the property of the priest. But this is by no means the worst feature of the case between the Irish Catholic and Protestant—it is well known that whatever abuses may have existed in the monasteries, accumulation by individuals was out of the question ; their estates were held by the incumbents as a species of trust—and their revenues—instead of being appropriated to the accumulation of private fortunes ; as now by the Protestant clergy,—were largely and charitably devoted to the relief and support of the *poor*,—nor will it be asserted that even when most corruption, and license prevailed in those establishments—the care of the poor was forgotten by them—in truth there is too much reason to believe that they thus compounded with conscience for the indulgence of other propensities.

Here, then is a monstrous spoliation, not of the Catholic Church or Catholic clergy, but of the aged and disabled—the lame

and blind—of pauper, starving-thousands, for the enrichment of a few pampered favorites—for the establishment of Protestant Diöcesan Schools—the *bonnes-bouches* of the Irish Protestant clergy, who always preside over them (and at which notwithstanding their large revenue—education, with few exceptions, is made so very expensive as to amount almost to exclusion of all, but the comparatively wealthy.) And in some few instances, I believe, for the endowment of Churches without congregations, clergy without flocks and without duties, and who unhesitatingly appropriate the fruits of pauper spoliation to their own personal luxuries and vanities, and are only in earnest against those *errors* which would deprive them of their spoil.

Some fifteen years ago the income of the Priests of St. Sulpice as Seigneurs of the island of Mont-Réal was estimated at £100,000 per annum—it was quite impossible, although the amiable and excellent M. Lesaunier and his friends MM. Savage and Richard—(the latter once a

Wesleyan Minister,) were in excellent case—rosy and rotund;—it was quite impossible such an income could have been expended on the plain fare and simple pint of wine per day to each of perhaps eight or ten old gentlemen. Their magnificent cathedral—the Hospital or Hotel Dieu—the establishment known as the “French College,” and at which half the protestant youth of the city and neighbourhood were educated—the Lunatic Asylum at the Sœur-Grise,—numberless private acts of benevolence—the frequent release of tenants who had fallen into arrears—and the hundreds of paupers who every Monday morning crowded the gates of their Seminary, told plainly enough to what purposes their large revenues were appropriated, and it is notorious that the revenues of the monasteries were to a certain extent devoted to similar purposes.

I cannot agree with you that “Sir R. Peel” did well in fighting it *out* with O’Connell,\* whether he did well

\* “Sir Robert did well in fighting it out with O’Connell. He was too late ; but when he began he did it boldly and sensibly, and

in attacking him is not *here* the question—but when fraud was resorted to in the Irish courts he ought not to have disgraced the crown by persevering—never had monarch a more favorable opportunity of establishing herself in the hearts of her subjects, Irish, English and Scotch, than had Her Majesty, on this occasion ;—how would Europe have rung with her name had she gracefully stepped forward and repudiated the idea of an English monarch, stooping to fraud even for the conviction of an acknowledged culprit!—such an act on the part of government would have done more to lessen the influence of O'Connell than the utmost success of a prosecution could have done even if *honestly* conducted. •

Ireland and her champion may however rejoice that such a course was not adopted—there is an unfortunate propensity in the Irish character to worship every thing Royal, and in their enthusiasm on such an occasion the Irish would have forgotten all their wrongs, and tamely

I, for one, am heartily glad O'Connell has been found guilty and imprisoned.”—*S. S.*



submitted to bear them still rather than oppose their gentle sovereign.

Had Sir R. Peel intended fairly by O'Connell, so far from challenging *every* Catholic, he would have taken care to form his jury as nearly as possible in equal proportions from both classes.—Supposing the Rt. Hon. and pugnacious Attorney General for Ireland and the Prime Minister of England, indicted for a conspiracy, to subvert the constitution—to disturb the peace of the empire and endanger Her Majesty's Crown by oppressively depriving her Irish subjects of their privileges as such—and rendering our much boated trial by jury—in Ireland, at least “a delusion, and a snare.” Would these Right Honorable gentlemen have considered themselves fairly treated, if left to the tender mercies of a venal bench and a Catholic Jury?

I am no advocate for repeal—neither am I inclined to think is our dear Daniel, unless as a dernier resort—attend to all the fair demands of the Irish—remove all just causes of complaint, and then, my dear Sydney, we may leave “the feathers of the

male *Pullus domesticus*”\* to those who now wear them, while we comfortably discuss the carcase, roast, boiled or fricasèed, with the aid, to which no Churchman objects, of the wine of Bordeaux, or a jug of good Irish whiskey punch.

When Strafford was accused of mal-administration in Ireland, the unfortunate Charles is reported to have replied that he did not find his favorite had been guilty of any thing inconsistent with his master's interest—and so you, my dear Ghost, it appears, would willingly tolerate a little anti-Irish villainy, as long as it conduced to the interest of England.—Had you continued a little longer in the flesh, I am inclined to think you would not have permitted the publication of “such a piece of nonsense”† as your rhapsody about the

\* “Much as I hate wounds, dangers, privations, and explosions—much as I love regular hours of dinner—foolish as I think men covered with the feathers of the male *Pullus domesticus*. I would rather turn soldier myself than acquiesce quietly in such a separation of the Empire.”—*S. S.*

† “It is *such* a piece of nonsense, that no man can have any reverence for himself who would stop to discuss such a question. It is such a piece of anti-British villainy, that none but the bitterest enemy of our blood and people could entertain such a project!

“Anti British villainy” of the repeal proposition—you would have considered the question,—you would have recollected that Ireland was a part of the empire for centuries before the Union, and have drawn the manifest conclusion that Repeal and dismemberment are not necessarily synonymous.

When the stronger party is as anxious for the continuance of a compact as the weaker is for its termination or modification, it may fairly be concluded that the interests of the latter are sacrificed to those of the former, and I know not by what right,—except that of *might*,—the continuance of such a compact can be defended.—You, however, are content with the right of force, and would maintain the compact “by Round and Grape,” “by Shrapnel and Congreve,” “by hollow squares and battalions four deep”—a formidable array to be brought forward by a

It is to be met only with round and grape—to be answered by Shrapnel and Congreve; to be discussed in hollow squares, and refuted by battalions four deep; to be put down by the *ultima ratio* of that armed Aristotle the Duke of Wellington.”—S. S.

minister of Christ in support of wrong from man to man. And your “armed Aristotle” would not appear to advantage when bringing his “ultima ratio” to bear in perpetuating the misery and degradation of the country that gave him birth, as the grand finale to his career.

Though Repeal is but an alternative—arguments, sound, many and weighty in its favor would not be wanting, even were all other claims conceded. The necessary yearly migration of the gentry and nobility during the sittings of Parliament in the sister Isle, affording as it does a pretext for temporary, and leading to permanent Absentecism, is a fruitful source of misery to Ireland, which it is the duty of every Irishman to seek to remove even should English interest suffer thereby. Nor does the mere chance of *three* of the *five* Law Lords, who voted on the late occasion, having been found honest men, appear to alter the case between the two countries, or offer any reason against a dissolution of the connection which *produced* the case in

question.\* No one will believe that Lord Brougham acted conscientiously in affirming the decision of the court below—and had there been another Lord Brougham,—had the question been left to the house generally— or referred to the Right Reverend the Bench of Bishops in particular—who would have been so mad as to expect *them* to liberate—the Liberator—to annul a wished-for conviction, merely because it was obtained by *fraud*?

To your question—"After all, my dear Daniel, what is it you want?" You did not of course expect or require an answer, no man was better acquainted with the five-hundred-times-told-tale of Irish wrong and Irish sufferance than yourself, no one knew better than yourself that to Irishmen in the Senate, the Field and the Cabinet, to Irishmen commanding—and Irishmen in the ranks—England owes much of her

\* "England is, I believe, the *only* country in the world, where such an event *could* have happened, and a wise Irishman (if there be a wise Irishman) should be slow in separating from a country whose spirit can produce, and whose institutions can admit, of such a result."—S. S.

present high position in the scale of nations—and most ardently must every honest man hope that proud—*unparalleled* as is the station already occupied by the “noble Daniel,” he will continue “insatiable of fame,” until he has wiped from his country every remaining trace of the thralldom in which she was so long and so iniquitously held—until he has raised her to that position which the rich endowments of nature have so eminently fitted her to occupy. Then, and not till then may our dear Daniel repose on the laurels gained by his commanding intellect and noble devotion to a noble cause, the admiration of Europe, the uncrown’d, but voluntarily obeyed and beloved monarch of millions.”

“The object of all government is roast mutton, potatoes, claret, &c. &c.”\* but when governments appropriate all the mutton, potatoes and claret to themselves and their order, and leave only the “stout constable” and dreary “highway” to a miserably

\* “The object of all government is roast mutton, potatoes, claret, a stout constable, an honest justice, a clear highway, a free chapel.”—S. S.

large portion of the governed, when for the benefit of one privileged class—*Law* is substituted for justice—and for another, churches maintained without congregations, the suffering classes may well adopt the cry of “Erin go bread and cheese” and resort to any measures that may be necessary to convince government that its first duty ought to be to secure to all the governed a fair share of the mutton and potatoes at least, if not of the claret. This is a law of nature, which though practically resisted every day, no one will deny in theory, and which can only be annulled by the diabolical plan of the savage secretary and Poet, Spencer, to exterminate the wretched Irish, by reducing them to the necessity of *eating one another*,—or by the “ultimo ratio” of your “armed Aristotle.”

If “the wisest and best statutes in the books have been enacted since the union” with England—it must also be recollected that it was to a purely Protestant Parliament and a Government of the dominant minority, that the unfortunate Catholics were indebted for the Penal Code, and all

its thousand attendant and consequent iniquities of outrage and spoliation, each act of barbarism perpetrated by the oppressor only serving to render his hatred of the oppressed more virulent, until at length the wretched victims were no longer looked upon as fellow-creatures, as must have been the case ere the pen that charmed in the “*Fairy Queen*” could have penned the horrible, the revolting advice above alluded to.

To hate those to whom we are conscious of having given cause to hate us, is a miserable and humiliating trait of human nature, sadly exemplified by the revolting bitterness of animosity formerly indulged in by the Protestants of the north of Ireland towards their Catholic neighbours.—Ignorance may afford some excuse for the lower classes; but there is not a puny Apostle that mounts the rostrum, but thinks it his duty, in defiance of the first precepts of the Divine Master whom he professes to serve; to rail at all who differ in opinion, not with him, but with the church, that affords him a living, and not



unfrequently exposing the fact, that whatever our Bishops may be *themselves*, they have not ceased to “lay careless hands on skulls that cannot teach and will not learn.”

“All Catholic disabilities have been abolished,” however “and the Grand Jury rooms flung open to the public,” and Mr. Smith appointed Attorney General, to render trial by Jury, (of Catholics at least) “a delusion and a snare.” All Catholic disabilities have been abolished, but grievances and abuses remain, and while Government persists in supporting such a monster abuse as the Irish Protestant Church establishment at the cost of additional burdens to the nation, the Irish Catholic must, in the eyes of all honest men, be fully justified in claiming the right to legislate for himself, for the purpose of removing those ills, under which he has groaned for ages. An Irish House of Commons would probably be Catholic; but even if the desire existed to visit their late oppressors with measures of retribution, the Protestant Lords and the veto of the Sovereign would be sufficient safeguards

against its indulgence. Let the whole Church revenues be thrown into one mass, and then divided between Protestant and Catholic in proportion to their numbers ;— or better still, let the whole Church revenue of England and Ireland be thrown into the Treasury, the burdens of the people being lightened in proportion, and the Clergy of the five hundred different christian sects left to the support of their respective followers.

There is much confusion and not a little contradiction, Gentle Ghost, in your Fragment, all of which would doubtless have been reconciled before publication, had your *translation* been to the “serene plenitude” of a Bishopric, instead of to the joys of Heaven, and had you been allowed a choice—there can be no doubt you would have preferred the former, even while, with clerical sincerity, solemnly pronouncing the “*Nolo Episcopari*”

“I am with you heart and soul in my detestation of all injustice done to Ireland” is very, very inconsistent with your subsequent proposal to saddle the nation, of

course Ireland included, with a charge of *Four hundred thousand pounds annually* for the purpose of protecting and maintaining that supreme iniquity of Irish, or rather English misrule—the Irish Protestant Church—for the purpose of furnishing rolls and butter, eggs and slices of Tipperary ham to clergymen as destitute of conscience as of congregations;—who, unscrupulously receive and appropriate the revenue while all religious duties fall to the Roman Catholic Priest, whose meed is,—“rags and potatoes, half-pence and bones.”

It is notorious that our opinions, feelings and even our sense of right are sadly and often insensibly warped by self-interest—and such a proposition as this could never have emanated from Sydney Smith, but for his clerical position, but from the long habit of receiving his income from, and looking to the Church for preferment with a feeling of clerical prescriptive right—Sydney Smith, a Layman, would have seconded the motion of Lord Howick.

The same circumstance of position would have led to your support of the

Maynooth grant—that *Sop*, by which it is hoped, for a time at least ;—in pursuance of the old and wretched system, to protect monopoly and privilege by adding to the burdens of the people ;—It can be only for a time ; however ; the blow must come at last, and it would be well if in the mean time the wealthy and privileged would bestow more of their attention on the misery by which they are surrounded—would learn to feel the care of the poor to be their first and happiest duty. Let our Right Revd. bench of Bishops—our venerable and Rev. priests and deacons learn to regard their revenues, beyond what is absolutely necessary for their own support, as the property of the poor. Let them “dismiss the lazy vermin of their halls,” reduce their equipages, forego their voluptuous apartments and luxurious fare, and instead of verifying the sarcasm of the Poet as

“ Ambitious always of the nearest place,  
To any throne, except the throne of grace,”

instead of contradicting by their every-day conduct the precepts which they inculcate

on Sunday—instead of filling their palaces and halls with guests to whom their costly entertainments are no charity; let them surround themselves with such guests as the Master whom they profess to serve, would have gathered together—the hungry and destitute of all nations and classes, without distinction of creed or color, and thus convince the world that they themselves believe what they preach—that they are not “Wolves in sheep’s clothing” whose only object is to “devour the flock.”

“Are not the Catholics gaining every where on the Protestants?” Such I believe is the case not only in Europe, but also in Asia and America, and a slight glance at Churches and churchmen in this our carnal and canting city of Palaces, will remove all wonder that it should be so. To begin with our own church—we have a Rt. Revd. and resilient Lord Bishop—whose mania is to build a cathedral, for which he has no congregation, and to the completion of which he not only contributes largely and liberally from his own large income, but also zealously

claims subscriptions from the pulpit. Although his Lordship's table is only surrounded by the great ones of the land—I believe he is not wanting either in benevolence or liberality, his forte however lies in building churches, and steeples, for churches already built.—We have a Venerable Archdeacon, whose house is always filled with guests—of course, of his own class—and to whom consequently his hospitality is no charity—the Archdeacon is said to be a very industrious man, and from appearance doubtless lives in a state of “serene plenitude.”—We have a Revd. and requisitive Clergy, Chaplains, and Assistant Chaplains—the Assistants eager for the *step*, and consequent increase of allowances—and both anxiously looking for any little additional duty that brings with it an additional hundred rupees per month. All enjoying their carriages with or without “Jelly springs,” and two courses daily, and thinking of their Catholic brethren with a feeling of superiority, or party animosity—too often expressed from the pulpit.

Of the Catholics, I can say but little—they

have an Archbishop,—his Grace Dr. Carew, late Professor of Divinity at Maynooth,—and whose income may be stated at hundreds for Bishop Wilson's thousands. Dr. Carew also builds Churches—*when necessary*—has got up and supports several Colleges or Schools in Calcutta and its vicinity, and contrives to provide for between two and three hundred Orphan' children—of all ages, from the new-born infant upwards, and mostly I believe of European parents,—to feed, clothe, educate and ultimately to facilitate their establishment in some industrious occupation ;—and all in the most unassuming manner and without ever advertising his benevolence in the public papers. His clergy are content to live in the simplest manner—visiting Barracks Jails—Schools and Hospitals: either on foot or in the humblest conveyance, and proving their sincerity by their devotion to their duties.

Is it then wonderful that the Catholics should be gaining every where on the Protestants? Doubtless the case is the same in Europe—but however strong the

Irish Catholics may feel themselves, no fear need be entertained of “this shallow—vain, and irritable people.”\* Attempting to avenge themselves on their obtuse, selfish and money-worshipping oppressors, while they continue under the guidance of the Master spirit, who has so long and so ably conducted them.

“I do not mean by this unjustly and cowardly to run down,” the order to which you belonged on earth—merely because I can do so safely since your transfer is to something better—but less desired, than a Bishopric—on the contrary I am satisfied that the errors of principle and feeling which I have noticed were entirely the result of your position and profession—Sydney Smith, a lay gentleman, or occupying a seat in the House of Commons—(although there is much reason to believe that he would still have entertained a lively sense of his own interest and a just abhorrence of *repudiating creditors*)—free from

\* “And this is the country which is to be Erin-go-bragh’d by this shallow, vain, and irritable people into bloodshed and rebellion!”—S. S.



the prejudices and thralldom of Church and Churchmen would have gone hand in hand with the most liberal and enlightened of the day in generous efforts for the good of mankind—Protestant, Catholic, Jew or Greek, and it is much to be lamented that his high talents were thrown away in a field so little favorable to the developement of noble, generous and liberal feelings, as the Church.

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THE  
STATE OF IRELAND CONSIDERED,

AND

MEASURES PROPOSED

FOR

RESTORING TRANQUILLITY TO THAT COUNTRY.

BY

LORD ALVANLEY.

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*Second Edition.*

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LONDON:

JOHN OLLIVIER, 59, PALL MALL.

1841.



## THE STATE OF IRELAND,

How is Ireland to be governed ? This question, the most important and the most difficult to be answered that ever demanded the attention of statesmen, must shortly be resolved. The country expects with the deepest anxiety the measures that are to be proposed for that purpose ; and an impression has become general amongst men of all parties who wish well to the monarchy, that such great interests can no longer be trifled with, or entrusted to palliatives, but that some new and more efficient line of policy must be adopted, which shall repress and put under control irresponsible power, remove the real grievances that still exist, and by so doing restore tranquillity, ensure prosperity, and render that favoured country a bulwark of strength, instead of a source of alarm and weakness, to the British empire.

The events that have taken place since the passing of the Catholic Relief Bill, prove that some such change is necessary. Vigorous coercion on

the one hand, and conciliation pushed to the utmost verge on the other, have failed to produce the beneficial effects that were contemplated by that measure, and a power has in the mean time grown up in Ireland which is irresponsible to the Government, and as far as the Government is concerned, to any other authority, ~~which~~ is beyond the reach of the law, because its influence has sway over the religious feelings of men, and which exercises that influence in a manner incompatible with the existence of any government, whether Protestant or Roman Catholic, despotic or representative, which in carrying out its legitimate authority, refuses to bow the head to those who wield the formidable engine.

The first principles of social institutions and of good government is, that all men, and classes of men in a community, shall be responsible to some power which may controul and direct them for the public benefit; and when any class has ceased to be so responsible, it paralyses the action of the laws, which were intended for the benefit of all, becomes an anomaly in the state, and is incompatible with the well-being of the country to which it belongs.

Such I consider to be the actual state of the Roman Catholic priesthood in Ireland, and so considering, I wish to call the attention of the public to the immensity of the evil, and then point out what I believe to be the only remedy. I am aware

that the inferior clergy in that country are responsible for their conduct to the Bishops, and the Bishops to a superior power ; but that for temporal purposes they are merely nominally so, I am intimately convinced ; for I cannot believe that the scenes which have lately taken place there, and to which, being cautious of giving offence, I shall not more particularly allude, have been sanctioned by the higher classes of the Irish clergy, or that they would have abstained from interfering to prevent the great scandal that has been occasioned by them to the Roman Catholic ministry in general, had they not felt that such interference would have been nugatory, and not respected.

With regard to the Church of Rome, I have had the opportunity of knowing, from communication with some of its most enlightened members, that it views much of the conduct of the Irish Roman Catholic Clergy with regret and sorrow, and such knowledge and the conviction that, had it the power of doing so effectually, it would find remedies for the evil, have induced me to put forth the following remarks.

The Roman Catholic Church in Ireland stands on a totally different footing from that of persons professing the same faith in England and Scotland, and from other Dissenters ; and as that difference forms the principal argument in favour of the system that I am about to advocate, it is necessary for me to explain in what I consider it to consist.

The doctrines of the Reformation, after having been violently attacked by the sanguinary and despotic Henry the Eighth, were as violently adopted and promulgated by him. Bloody and profuse, he held out Smithfield and the Abbey Lands to the timid and rapacious, and speedily obtained converts. The milder reign of his son added numbers, through conviction, to the new faith, whilst the cruelties of Queen Mary, fortified it by crowns of martyrdom. During the latter part of the 16th and the beginning of the 17th century, the firmness and decision of the powerful and popular Elizabeth, the national indignation at the Spanish Armada, and the general horror occasioned by the gunpowder plot, had rooted it so deeply in the hearts of the people, that the Roman Catholic religion had disappeared, as it were, from the land, and the spiritual power, as well as the temporalities, passed over to the English Protestant Church, as established by law.

This then has continued to be the dominant church of the country; the Sovereign is the Head of it; the people, through Parliament, have consolidated it by every act that could give it strength, and those who dissent, do so with their eyes open, and a perfect knowledge of its rights. In the earlier periods severe enactments were thought necessary to protect it from the church that it had replaced, and from Dissenters who had seceded from itself. By degrees, however, a milder and more liberal

policy has loosened, one by one, these fetters on men's consciences, and the repeal of the Test Act and the Catholic Relief Bill have set them entirely free.

The rights, however, of the Protestant Church, as established by law, have remained untouched ; and it is *de facto*, as well as *de jure*, the Church of England,

The march of events in Scotland was nearly the same as in England ; the Roman Catholic religion was torn up by the roots, at the time of the Reformation, and the Presbyterian form of worship, by the general consent of the nation, planted in its stead, so that the latter also became, and has ever since continued to be, *de facto*, as well as *de jure*, the Church of Scotland.

Far otherwise has it been with Ireland ; the invasion by Henry the Second has for three centuries and a half entailed on that country the miseries of partial conquest, without any of the advantages, that entire subjection to a rich and powerful neighbour, might have extended to it. A field for enterprise to adventurers, it was exposed to their uncontrolled rapacity ; the native petty Sovereigns and Nobles were either dispossessed by force, or betrayed after submission, and their lands confiscated ; and the common people were actually hunted down and destroyed like the wild beasts of the field. Some respect, however, was still shown to the possessions of the Church, and the monastic institutions, which were numerous and highly en-



dowed, afforded an asylum to the persecuted, precarious indeed, but the only one that existed in those sad times. The secular Clergy of Ireland was composed of a superior class of men, to what might have been expected from the semi-barbarous state of the country. They were generally Irishmen educated at the universities in Spain, or native Spaniards, who, from motives of piety, had devoted themselves to the priesthood there; and the manner in which they sustained the courage and shared the sufferings of their flocks, has merited and obtained the suffrage of the contemporary writers of the day.

These circumstances combined, had taught the persecuted Irish, to look to the Church, and its Ministers, for consolation and support, so that when the Reformation was attempted to be forcibly introduced into the country, and a new faith proclaimed by Act of Parliament, when the monastic institutions, which had afforded them protection, were dissolved, their possessions seized, and their ministers driven out by force, a general spirit of resistance spread itself through the land, and the people made common cause with those whom they considered to be their benefactors and friends. The consequence of this was, that the war between the two races, the invaders and the invaded, burst forth with redoubled fury; thirst of gain by the confiscation of church property on the one hand, and an innate sense of wrong, stimulated by religious zeal

on the other, envenomed the contest, and History, in her melancholy tale of human suffering, has few pages more filled with horrors than those which tell the story of Ireland during the sixty years that followed the Reformation. The strongest party, however, at last prevailed; the physical means of continued resistance failed, for the country was nearly depopulated, and the Catholic Irish were subdued. Immense confiscations took place,—the entire property of the regular clergy was either granted to favoured individuals, or disposed of to satisfy unsettled claims; and the sees and temporalities of the bishops and the benefices of the secular clergy were made over to clergymen and patrons of the Protestant religion, which religion, according to the forms of the Church of England, was declared by Act of Parliament and Proclamation, to be the Church and religion of the land:

As soon as this Act of Parliament was passed, and the transfers of property carried into effect through the country, the rulers of the day considered that every thing that was necessary had been done, and the idea of converting the *mere Irish* to the new faith, either by conciliation, conviction, or even force, never entered into their heads. As long as they remained passive, and permitted the forfeited properties, lay and church, to be quietly enjoyed by their new possessors, they were tacitly allowed to exercise the ancient form of worship, though in the teeth of the severest

penalties. If, however, the least movement was made, they were hunted down, and when caught treated as rebels and heretics.

The Protestant clergymen, who were appointed to the vacated livings, were mostly Englishmen, and never thought of residing; the tithes were let either to single adventurers, or to companies of undertakers, as they were then called, who paid for them comparatively small sums, and collected as much as they could, and the spiritual instruction of the people was totally neglected by their pastors; the consequence was that they became doubly attached to the ancient faith. The Catholic priests, in spite of difficulties and dangers innumerable, remained steady to their flocks, the communication between Ireland and Spain was actively kept up, men of abilities and energy were encouraged to devote themselves to what was considered a holy cause, and oppression yielded its accustomed fruit, and rooted more deeply in the hearts of men, the very cause it was intended to crush.

Such continued to be the state of Ireland, till the time of the great civil war, when the necessities of the King obliged him to have recourse to the Irish Catholics for assistance; persecution ceased, concessions of various kinds were promised and some granted, and happier days appeared to be in store for them. The reverses, however, and catastrophe which overthrew the monarchy,

changed the face of affairs, and the firm and determined rule of Cromwell, his military talents and extreme cruelty seemed destined to extirpate the ancient faith in Ireland, as it had been extirpated in England, and establish the Protestant religion on a solid and lasting footing; he rewarded his most fanatic soldiers with grants of confiscated lands; he ordered orphans, wards, and in some instances children to be taken forcibly from their parents, to be educated under the Protestant teachers; he forced the Protestant clergymen to reside on their livings, and the Protestant proprietors on their estates, under pain of forfeiture, and he put the penal statutes against priests and recusants into such terrible force, that in less than two years the greater part of the Catholic population had fled from the neighbourhood of his quarters, and retired into the province of Connaught. Matters, however, of paramount importance drew his attention from Ireland, before he had effected the complete, the forced conversion of the country, which he undoubtedly meditated when he went there, and the plans which had been so vigorously carried into effect by himself, languished in the hands of his lieutenants; after his death the Restoration raised the hopes of the Catholic party; during the reign of Charles the Second, they enjoyed comparative quiet, and at the accession of James the Second, a Roman Catholic himself, and who appointed a Roman

. Catholic Lord-Lieutenant, a general re-action took place, and with the exception of the province of Ulster and some isolated towns, the whole country openly professed the ancient faith. The Révolution however of 1688 again changed every thing ; war broke out between the two parties, the struggle was severe, but at length the Irish were vanquished ; terror and confiscation as usual became the order of the day. A penal code of laws, unheard of for severity, and demoralizing in nature, was inflicted on the Roman Catholics, and the British authority, which from the time of the invasion by Henry the Second till the battle of the Boyne, had been local and precarious, became general and acknowledged through Ireland. The more, however, that the Roman Catholics were ground to the earth, the more did they adhere to their creed, and though every temptation was held out to them by the law, which in a temporal point of view could shake the faith of men, but few yielded, and those who did so, and conformed, " most generally recanted on their death bed.

At the latter end of the 18th century, the most odious and unnatural of these enactments were relaxed ; and for political purposes, the right of voting at elections was extended to the Roman Catholics ; from that time they took courage, men of talent and energy began to agitate their own country in their favour, the opinions of the leading men in England became divided

on the subject of their emancipation, as it was called, and at length, in the year 1829, the great measure of the Catholic Relief Bill was brought forward and carried by the Duke of Wellington; those who were opposed to and hated him, pretending that it had been extorted from his fears; those who supported and knew him, believing that he had made a conscientious concession of his opinions to the public good.

Having now described as shortly as I could, the rise, progress, and relative situations of the Churches of England and Scotland, and that of Ireland, I trust that I have made good my original assertion, namely, that these Churches stand on totally different footings; that those of England and Scotland are, and since the Reformation have been, *de facto* as well as *de jure*, the churches of their respective countries, but that the Church of Ireland has never obtained there, or been other than *de jure* and not *de facto*, the established church.

I must now make some few remarks on the Relief Bill and its results, in order to clear the way to that which is the object of my writing these pages.

The intention to relieve the Catholics from their disabilities was just and politic, but the method that was taken to do so, was in my opinion faulty; for I consider, that in all cases where acknowledged grievances are to be relieved, and political power

conferred, the power should be held back till the grievances are entirely removed, and that to do otherwise is simply arming men to attack yourself.

Two great material grievances weighed on the Irish Catholics, and came home to all of that faith in the country : the first, was the obligation to pay tithe and church rate to the Protestant Church, whilst they were naturally called on at the same time to support their own priesthood and places of worship ; this was felt by every man, and by the poor much more severely than by the rich ; the second was the composition and practice of the Ecclesiastical Courts, the judges of which were in general clergymen of the Established Church, and the proceedings arbitrary and expensive.

Tribunals so composed being contrary to the first principles of justice, which requires that judges should be beyond the suspicion of partiality, and charges sufficiently moderate to put them within the reach of all men.

. In addition to these great evils, they laboured under various other disabilities ; they were excluded from all the higher stations in the different branches of the public service, they were excluded from the Imperial Parliament of the Empire, as they had been from their own, and were incapacitated from holding municipal offices, or being members of corporations in the greater number of the cities, towns, and boroughs in Ireland. Some few also of the enactments of the penal code remained in force,

which interfered with their every-day life, and perhaps, as is often the case, tormented and exasperated them more than greater grievances.

The Relief Bill removed the disabilities above mentioned; it opened the army, navy, and law to them, with the exception of one or two offices, which were confined to Protestants; it removed from the statute book the petty causes of discontent that had survived the penal code, and if it did not admit them at once indiscriminately into the Corporation of the Country, it was because their charters had been granted for specific Protestant purposes, and required special laws to alter, but above all it allowed them to become Members of Parliament, and thereby immensely increased their political power.

But it did not relieve the great material grievances. it left the tithe as it found it; it made no provision for the Roman Catholic Clergy, and though it slightly modified the Ecclesiastical Courts, it allowed the principal faulty features to remain.

The consequence was, that it pleased none but the turbulent spirits in Ireland, who saw in it the seeds of future successful agitation; it alienated the ultra Protestant party in the two countries, who thought that no relief ought to have been granted, and it disappointed the mass of the Irish people, who derived no benefit from it; for the whole advantage of the boons granted, fell to the



share of the powerful and ambitious, so that, when the first hurrahs of triumph, and perhaps of gratitude were over, and the poor and middle classes found that the material interests had been in no way advanced, that they had still to pay the Protestant tithes, and their own priests, and were still subject to the oppression of the Ecclesiastical Courts ; they considered themselves betrayed, and flew to exercise their increased political power by voting blindly for those who exaggerated their grievances and inflamed their sense of wrong, and against those who had forgotten their interests in a measure, which had been held out as one of general relief, to all who professed the Catholic faith.

In this state of things, the Whigs assumed office, and powerfully assisted by the Roman Catholics in Parliament, carried the Reform Bill.

A series of measures materially affecting the Protestant Church in Ireland, and effecting a complete reform in the ecclesiastical courts, were then brought forward, and most of them passed into laws ; the hopes of the Catholics rose high, and their pretensions became so excessive, that Lord Grey, an honourable man, and sincerely attached as a statesman to the constitution, and as an Englishman to the integrity of the Empire, was forced to pass various strong enactments, to repress the spirit of insubordination, which threatened the entire subversion of the English interest and authority in the country. The intrigue, however, which

overthrew his Government, and placed Lord Melbourne at the head of affairs, changed this line of policy ; conciliation without the removal of the real grievances became the order of the day, and was followed on his second accession to office, by entire submission to the powerful leader of the Roman Catholic party, who, under a complacent Lord Lieutenant disposed of the patronage, and in fact ruled the country. At his suggestion repeated efforts were made to get the wedge into the temporalities of the Protestant Church, but a powerful opposition in the House of Commons, assisted by the House of Lords, frustrated (with one exception) these attempts.

In the meantime, the Government began to sink, the coalition with Mr. O'Connell had lowered it in the eyes of the country generally, and the return to office after the affair of the ladies of the household, had alienated from it the old constitutional Whigs, so that notwithstanding the addition of votes that he had brought to its aid, and the countenance which it had received from the Queen, it became from day to day, weaker and weaker, and the vote of want of confidence at the close of the last Parliament, and the result of the late elections, sealed its fate, and it died a natural death. The state in which it has left Ireland, is truly alarming to those who look deeper than the surface of affairs ; agitation has followed agitation ; the repeal cry has been raised again as a sort of

forcing pump to the subscriptions which were perhaps beginning to flag, and Parliament and the English nation generally have been denounced in no measured terms, as refusing to do justice to Ireland, not real substantial justice, which might remove the grievances, and relieve the burdens of the people, but a species of justice, which would increase the political power, and fortify usurped authority in the hands of those who already exercise them so fatally for the peace of the empire.

Asamongst these, the Roman Catholic priesthood plays a prominent part, it is necessary that I should show how that body is composed, and the position it holds in the country, and then endeavour to point out the means by which, in my opinion, it may be deprived of its usurped temporal power, submitted to an effectual and responsible authority, and confined to those legitimate spiritual functions, for which it was originally ordained.

Until the French Revolution, the Roman Catholic priesthood in Ireland had been composed of men of different countries, educated at the Irish colleges in Rome, France, and Spain ; they were generally persons of simple manners and studious habits, strictly attentive to the spiritual instruction and care of their flocks, and interfering little with matters that were foreign to their ministry ; indeed, the memory of them as so conducting themselves is fresh in the minds of persons still living, and the mild, conciliatory conduct, and the gentlemanly

bearing of the old French and Spanish priest is often contrasted with that of the coarse political partizans who compose the priesthood of the present day. •

The great event above alluded to put an end to this system. The colleges in France and Rome were broken up, and communication with Spain was rendered difficult by the war, so that the Roman Catholic Church in Ireland was deprived of the sources from whence it had drawn the most efficient and best educated of its members, and was left without the means of adequately filling up the ministry. About the same time the question of Catholic Emancipation began generally to occupy the public attention ; the opinions of many of the leading men were favourable to it, and the concessions that were to be made by the Protestants on one hand, and the Catholics on the other, were publicly canvassed through the country. The Government therefore felt, that a measure which was to supply the Roman Catholic Church with an educated priesthood, when other means of procuring one had failed, without conferring on it either civil or political rights, was in itself so just, so necessary, and so much in a Christian spirit, that the most conscientious Protestant could scarcely, with any justice, object to it ; that it would in a certain degree be conciliatory to the Catholics, and at the same time lay a foundation for future measures of general relief. With these views, then, and with

the best intentions, but in an evil hour, an Act of Parliament, 35 Geo. III. 1795, entitled an "Act for the better Education of Persons professing the Roman Catholic Religion," was passed, and the College of Maynooth founded. The Government of the College was vested in the hands of a President, a Vice-President, a Senior and Junior Dean, who were nominated by a board of trustees, composed of Irish bishops and some laymen of that church, and though the Lord Chancellor, the two Chief Justices, the Chief Baron of the day, Lord Fingal, and two Roman Catholic Archbishops, were appointed visitors by the 40th of George III.; and directed to hold triennial visitations, it appears that their duties were merely nominal, and soon fell into desuetude, so that the management of the College, the system of education, the reception of the students, and the discipline to which they were submitted, was entirely left in the hands of the Board of Trustees and the Superiors themselves; and the Government possessed no efficient means of interference in the exercise of these most important functions. There can, however, be little doubt that some general measure was at that time in contemplation which would place the Roman Catholics more in harmony with our Protestant institutions, and at the same time give to the executive government a power of controul over the temporal affairs of that church. And that in such an arrangement the College of Maynooth would have been natu-

rally included, and the evils which have subsequently arisen avoided. •

The passing of the Act of Union, without any such measure of relief, and the determination of King George the Third, to resist any concession to the Catholics, which led to the retirement of Mr. Pitt, diverted the public mind from that great object, and the general war in which the country was engaged for the next fourteen years, so entirely absorbed its attention and energies, and so drew them away from matters of internal policy, that the College of Maynooth grew up to importance, as it were, unperceived, and without those wholesome checks on its administration which the original founders had intended eventually to impose on it. The consequence was, that a narrow and bigoted system of education obtained there; instead of setting forth the doctrines they were to teach in the conciliatory and liberal sense, that the nature of the Establishment required, and which at the same time would have been in harmony with the opinions of the most distinguished Roman Catholic Churchmen of the day; instead of imbuing men educated for the ministry in Ireland with sentiments of charity and forbearance towards those who differed with them in matters of religion, and with principles of loyalty and submission to the constituted authorities of the country in which they were to exercise their functions,—the Professors of Maynooth instilled into the minds of their pupils,

dogmas which an enlightened age had virtually repudiated, and which tended to widen and increase the animosities that separated the two parties; at the same time, the extreme severity of the discipline, and the despotic power assumed by the Superiors disgusted and deterred young men of respectable families and independent means, whose vocation was the priesthood, from pursuing their studies at the College, so that the ranks were filled by students of the lowest birth, whose want of means compelled them to submit to treatment at which more generous minds revolted, and who carried forth to the priesthood the original prejudices of their caste, increased and inflamed by a debasing system of education. The Catholic Emancipation Bill found the ministry entirely filled up by men of this description. Elated at that imperfect measure which was only considered as an instalment, they threw the whole weight of their power over their flocks into the hands of those persons who held out to them the Repeal of the Union, and the eventual supremacy of the Roman Catholic Church, as the goal of their exertions; and by the tremendous influence, spiritual and temporal, that they exercised at the elections, they increased the power of that party to a degree, which virtually secured to it the patronage, and almost the government of Ireland.

The influence thus exerted was in very few instances that which high station superior attain-

ments, virtuous conduct, or the love of the people, accord to their possessors ; it was, in general, the result either of spiritual power over the minds of men, which when put into force for moral or religious purposes, as it is intended to be, is useful and beneficial, but which degenerates into a cruel arm of oppression when diverted from its legitimate course, or else it arose from that temporal and every-day power which may be supposed to exist in the hands of a creditor unrestrained by law, over a debtor without hope of redress. The manner in which the first of the above instruments has been wielded during the last ten years, is unhappily too well known to require description ; the newspapers of the day and the intimidation committee in the House of Commons, shew to what a sad extent it has been exercised for political purposes, and the partisan priest driving up his (often unwilling) flock to the hustings, and cursing from the altar of God those who refuse to obey his mandates, has become a cause of scandal to the Roman Catholic world in general, and a desecration of the holy and religious character of the ministry. The temporal and worldly power which the relative position of debtor and creditor so often gives to the priest over his flock, is the result of the voluntary system of payment, by which the latter is supported. Scales of the dues to be paid on the administration of some of the sacraments, and of other payments, are certainly drawn up and



approved by the Bishops in their respective dioceses, but the clergy as certainly pay little or no attention to the regulations so laid down, and the poor man, who believes that appeal would be probably vain, and who fears persecution should he attempt to obtain redress, submits to the arbitrary demands made on him by his priest, rather than run the risk of exciting his displeasure; and as these demands are generally beyond his means, he pays what he can, and remains a debtor for the rest, and this debt, which is held out to him as a sacred one (and which probably goes on increasing during the whole of his life), binds him down as a slave to the will and purposes of his ever present and despotic creditor. The great proportion of the Roman Catholics in Ireland are, therefore, mere instruments in the hands of priests, who exercise over them an unrestrained and excessive power, both spiritual and temporal, and as these priests themselves form a separate class of the community, over which the government has no authority whatever, it is vain to hope that tranquillity and concord, free exercise of public rights, respect for the laws, and security of property, can prevail, till some legitimate means are found of controuling a power so entirely irresponsible, and the existence of which, either for good or bad purposes, is contrary to all sound principles of government, and incompatible with the well-being of the empire.

Sacrifices of opinion, and sacrifices of money, will be required to effect this great object, but these ought to weigh lightly in the balance, when compared to the inestimable benefit which would accrue to all, could measures be devised which would obviate the above mentioned evil, and lead to a peaceful and honourable arrangement of the differences which have so long agitated and divided the two countries.

The first step to be taken for this purpose should be a measure for the payment of the Irish Roman Catholic clergy ; the present state of the finances would certainly be unfavourable to such a proposition, but the necessity of the case is so urgent, and the advantage to be gained so great and so certain, that I should consider no price that could be paid, extravagant, which would tend to obtain the object in view.

One of the principal objections that would be offered to such a measure would be, that if you paid the Roman Catholic clergy out of the general funds of the state, you ought in justice also to pay the ministers of every other dissenting sect ; in answer to this I have endeavoured to prove that the Roman Catholic Church in Ireland stands on a totally different footing from that of any dissenting community in England and Scotland ; that it could not have dissented from a church which it had preceded, to which it had never belonged, and which had never been, *de facto*, established in the

country, whilst all other Dissenters whatever, had been originally members of the church from which they separated, and had so separated with their eyes open, and knowing the consequences of what they were doing; so that if the country thought fit to make a provision for the former, which had never changed its form of worship and its tenets, and to whom the temporalities now enjoyed by the Protestant Church had originally belonged, it gave no claim whatever for a provision to the latter, who had, though from pure and conscientious motives, voluntarily, and of their own act, abandoned the church established by law, and which the community at large had acknowledged.

The next great objection put forward would be that the Irish Roman Catholic clergy might refuse to accept the stipends offered them, and continue to exact the dues and other payments as before. I cannot myself believe that such would be the case, for though I have described the Irish priest as a political partisan, exercising through his spiritual and temporal power an undue influence over his flock, I did not mean to say that such a character was universal through the country, or to doubt that amongst the priesthood might be found numbers of excellent men, who though at present unable to resist the bad example given them by the more turbulent of their order, would be happy to confine themselves to the real spiritual duties of their ministry, should circumstances per-

mit them to do so, and who would infinitely prefer receiving at the hand of Government a regularly paid and sufficient stipend, to the more irksome process of obtaining one, as they do now, by solicitation or threats.

At all events, an objection of this nature made by the Irish Roman Catholic clergy could not be borne out by analogy or example; for in most of the countries where the Roman Catholic is the established religion of the land, and in all where it is not so, the priesthood is paid by the state. In France, in Belgium, in the greater part of Italy, and now in Spain, which are entirely Catholic countries, they are so paid. In the Austrian states, excepting Hungary, they are partly so, and throughout Holland, the Rhenish Provinces, Prussia, Poland, and Russia, where the established religions are either Protestant or Greek, they are entirely so.

These latter countries are in the same relative position with their Catholic subjects as England is with Ireland, and their example ought to encourage us to pursue a system which succeeds with them.

Having disposed of the principal objection that can be offered to the payment of the Roman Catholic priests in Ireland, I must point out the immediate advantages that would be derived from that measure.

In the first place the Irish Catholics still continue to pay two churches, for though the payment

of tithe has been transferred from the occupier to the landowner, and though the most obnoxious features of the impost have been removed, yet it still exists in the shape of rent, and as such is paid by the tenant of that religion, who having also to pay his own priest still labours under a real and onerous grievance. Now, if he was relieved of the latter burden, he would be placed in the same position as the Protestant tenantry, and his present substantial cause of complaint would be entirely done away with. It may be thought by some persons that the influence of the priest would still be sufficiently powerful to force him to continue the payment of the accustomed dues, but I can hardly believe that he would be induced to do so, when he knew they were otherwise provided for, and that the money was laying for acceptance at the county town, or wherever else it might be thought fit to place it ; at all events, such instances would be rare, and the measure would be one of incalculable benefit to the great mass of the people, who would not only be relieved by it from future payments, but also from that state of temporal subserviency to which I have above alluded, and which deprives them of free agency in the exercise of their legitimate rights.

The next step to be taken towards the realization of the great object in view, ought to be the repeal of the enactments forbidding open communication with the Court of Rome, and the appointment of a mini-

ster to that Court, after the example of Russia and Prussia, thereby placing our relations with it, which are now contrary to every principle of sound reason and policy, on a statesmanlike and tangible footing. For what is the state of the case? the great majority of a vital portion of our empire profess the Roman Catholic religion; these persons, for reasons which might have been valid at the time, had been deprived for 250 years of almost all civil rights, and kept in a state of forced subjection by the terror of the sword, and the pressure of a penal code of unexampled severity. A new era commenced, liberal opinions spread themselves through the civilised world, and took deep root in this country; by their influence, the disabilities under which the Roman Catholics laboured, were gradually removed, and at length the Relief Bill placed them on a footing of perfect equality, in point of civil and religious rights with their Protestant fellow-subjects.

Unfortunately the fear of alarming the ultra-Protestant party, which had been violently opposed to the concession already granted, deterred the Government from seizing this favourable occasion, of renewing our relations with the Court of Rome, so that whilst a form of worship of which the Pope was the acknowledged head, was sanctioned by law, his authority over it and its ministers was repudiated, and the British Government, which in the Relief Bill had reserved to itself no means of

control over the Roman Catholic clergy, was prevented seeking it at the fountain head by the continued existence of laws, which punished by premunire all negotiation or even communication with the Court of Rome. The result of this faulty policy was, that the Irish priesthood became free from all wholesome restraint, and assumed the unconstitutional position in the country which I have above attempted to describe. I therefore repeat that our relations ought to be renewed, and a Minister immediately accredited to the Court of Rome, for since the passing of the Relief Bill, the principal objections which might have been formerly opposed to such a measure, have fallen to the ground, and the advantages to be gained by it, become so obvious, that even should some still exist, they ought to be sacrificed without hesitation to the public good.

The spirit of advancement which has been in progress during the last fifty years, the daily increasing application of the mighty instrument, which has centupled the power of printing, almost annihilated distance, and by bringing the nations of the world, as it were, in contact with each other, has diffused mutual knowledge, promoted beneficial intercourse, and broken down the barriers of prejudice and ignorance, has been felt by the Church of Rome, as well as by every other institution in the civilized world, and though the great principles on which that church was founded are

immutable, the anti-social dogmas, which during a long period of undisputed domination had crept into and defaced it, have become obsolete, and enlightened men have modelled its doctrines, and particularly those which apply to persons professing another form of worship, in a spirit more accordant to the age in which we live.

The relations existing with Russia, Prussia, and other Greek and Protestant States are the best proof that such is the case, and it is certain that the Pope and the most distinguished and influential Catholics anxiously desire that similar relations should be established with this country, and are prepared to meet any advances made for such a purpose on our part, in a manner that cannot fail to be advantageous to both; for the Church of Rome being, as it is, on principle, the friend of order and of obedience in temporal matters, to legitimately constituted authority, views with sorrow and regret the political position which has been of late assumed by the priests in Ireland, and the dangerous measures which they have taken on themselves to advocate, and would willingly confine them to the exercise of their religious duties, and put a stop to conduct so little in harmony with their character as ministers of religion, could it do so with authority recognised by the British Government, and fortified by such recognition. An arrangement for that purpose once made, chosen agents would be sent to the different



dioceses in Ireland, who as accredited apostolical vicars would be in constant communication with the Government. Their mission would be to remedy the above evil; and armed with full powers to restrain and punish the bold and bad intentioned amongst the clergy, and encourage and protect the timid lovers of order, who, though superior in numbers, have been either led away by bad example, or intimidated by their more turbulent brethren, who are probably in comparison few, they would speedily effect their object; and I have no doubt, that in a shorter time than even the most sanguine could expect, the political priest would disappear, and the Catholic ministry confine itself to those Christian and religious functions for which it was ordained; functions, which, in other countries, and especially in those where the clergy are paid by the State, are performed to the admiration of all who witness them. For a more exemplary body of men, than Roman Catholic parish priests do not exist in the world; humble in their lives, virtuous in their conduct, and obedient to their superiors in church and state; they devote themselves exclusively to their duties, and are the friends and consolers, as well as the spiritual pastors of their flocks.

The reformation of the College of Maynooth, and the revisal of the whole system of that institution would be the next object to be effected; a course of instruction more in harmony with the times, and more adapted to the future destination of the

pupils would be prepared for it by the enlightened men who direct the education of the persons destined for the Roman Catholic missions; the arbitrary and despotic power at present exercised by the superiors would give way to a milder and more liberal form of discipline, and young men of superior birth and attainments, would be again induced to prepare themselves for the priesthood within its walls. A priesthood expressly adapted to the circumstances of the Irish ministry would be thus obtained, and as Government would exercise a legitimate power of control over its affairs, through agents appointed for that purpose, the original intentions of the founders of the College would at length be carried into substantial effect.

I must here say a few words with regard to the distinguished instructors to whom I have above alluded, as I know that under the denomination of Jesuits they will be denounced by many who are influenced by names rather than by experience, and who continue obstinately to believe that the Jesuits of the present day, are the same as those of two hundred years ago. I judge of the tree by the fruit, and aver that the Roman Catholic priests sent out by the Propaganda as missionaries, are eminently calculated to succeed in the objects for which they are designed. I have met them in different countries and have uniformly found them to be friends of peace and order, making converts by the force of good example, and by adapting their

doctrine to the understanding of their hearers, thereby establishing themselves in the hearts and affections of the persons whom they were destined to instruct. In addition to this they live admirably well with each other ; are attentive to their spiritual duties ; exemplary in their moral conduct, and above all, are tolerant to those who differ with them in religious opinion. These qualities are the result of the education acquired under the superiors of the Propaganda, and are a sufficient reason to make me desire that the regulation, if not the government of Maynooth, may be put into such efficient hands.

Such are the difficulties of the Irish question, and such the great remedies which, in my opinion, ought to be applied to them. Coercion is out of season, and only exasperates ; conciliation without substantial relief, encourages increased pretension, and though the appointments of Lord de Grey and Lord Eliot, which are excellent, have caused a temporary lull, I am convinced that even under their government the *old system of policy* will fail to preserve peace, and that in a short time, the hurricane will break out as violently as ever.

Objections without end will, I know, be offered to the above plan, and many of them perhaps with justice ; but are things to remain in their present unsatisfactory state ? or can the Government do better than carry out the original intention of the promoters of the Relief Bill, by measures of jus-

tice, liberality, and peace? Measures which will deprive the Irish Roman Catholics of just cause of complaint, and relieve them from all grievances, excepting those that may be invented for them, or that they themselves may voluntarily choose to retain.

• The Empire generally will feel the good effects of renewed relations with the Court of Rome; the Catholic affairs of our colonies, which now pass through unaccredited hands, will be more appropriately transacted through recognized Catholic agents, and the feelings of our fellow subjects of that persuasion all over the world, will be drawn, for the public good, into closer unison with our own.

A strong proof of what those feelings are even now, is to be found in a pamphlet just written by a Roman Catholic nobleman of high birth and ancient family, in which sentiments of sound and liberal patriotism, and at the same time, devotion to his religion, are put forward in a manner that does him the greatest credit. That his sentiments may be met, on our part, in a spirit of reciprocity, is my sincere wish; and if what I have said should conduce in the slightest degree to bring about so desirable an end, I shall consider that I have not written these pages in vain. I am aware that many faults and many omissions may be found in them, but at least they have been undertaken from

disinterested motives, and with the firm conviction of the policy of the measures which they advocate, and the benefit that the adoption of them would confer on the empire at large.

THE END.

# IRELAND UNDER LORD DE GREY.

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"Non obtusa adeo gestamus pectora Ferri ;  
"Nec tam aversus equos Tyría Sol jungit ab árge."•

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DUBLIN :  
S. J. MACHEN, 28, WESTMORLAND STREET,  
General Bookseller and Publisher.

1844.

PRINTED BY WEBB AND CHAPMAN,  
Great Brunswick-street.

IRELAND UNDER LORD DE GREY.





## IRELAND UNDER LORD DE GREY.

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ON the thirtieth of August, 1841, Sir Robert Peel accepted the office of Prime Minister; and now, for more than two years, Ireland, with the rest of the empire, has been under his controul. After such a period, rendered remarkable by the existence in this country of a most extensive and organized confederacy, for the purpose of overthrowing the great international compact of 1800, and still in the presence of an agitation unshaken in its hostility to an united realm, a tempting opportunity offers for reviewing the political condition of this country.

Heretofore, in judging of the conduct of government in Ireland, the habit has been either unsparingly to condemn, or lavishly to praise, according as it suited the taste or the interest of the few who at all troubled themselves about our affairs. Whenever a vile purpose was to be carried, the hireling who undertook the office, whether he was the tool of faction, or the sycophant of power,

little regarded the means by which his end was accomplished ; and our political writers, such as they were, cared not from what arsenals their artillery was drawn, provided that it sounded sufficiently of terror or discontent. Hence we see a government of this day confounded, without any affectation of apology, with a government of a century gone by, and the designs of public men are judged, not out of their own acts and mouths, but by the words and deeds of their supposed political ancestors. The country, too, is unfortunately treated after the same fashion, not as she is, but as she might have been, had other men in other times pursued wiser courses ; and the annals of the past are searched under various pretexts, by those who carry their own selfish designs in perpetuating hatred and ill will amongst our countrymen. No writer who hopes to see the condition of Ireland ameliorated will follow such false lights, or trouble himself about the hateful passages of discord, turmoil, alternate treachery and tyranny which our history, distorted as it is, so plenteously affords. Researches of that nature are as mischievous as useless, and the anxiety with which the new born zeal of *young Ireland* reverts to such topics, should serve as a warning for cooler heads to avoid altogether their discussion.

But, to weigh in impartial scales the conduct of the Irish executive, to judge dispassionately of their acts, and give to them an enlarged and liberal interpretation, is a task which may be per-

formed without any sacrifice of personal independence, and with the greatest advantage to the country. It may tend to tranquillize the public mind, to separate the real wants from the imaginary grievances of the people ; and, at all events, such an attempt is far more patriotic than to pass one's life in misanthropic lamentations over the disorganization of the people, or in unmeaning murmurs against the conduct of the possessors of power.

The difficulties which at first sight present themselves to this or any dispassionate enquiry, are of no trifling nature, for the public mind has been heretofore disturbed, not more by Mr. O'Connell's party, whose views will be presently discussed, than by a set of gentlemen, who, professing very violent opinions on the opposite side, appeared to have made up their minds from the outset, to be discontented with every act of government which was not arranged within their own circle, and to refuse the Minister and the Viceroy credit for all measures, not fully in accordance with the plans those gentlemen had formed before Lord De Grey's arrival in Ireland. They very much resembled in their conduct during the past year, that supporter of Sir Francis Burdett at one of the Westminster elections, who hearing a long *ululatus* of "no war" — "no taxes" — "no Pitt," &c., &c., vindicated the liberality of his sentiments by shouting, "no nothing," as the *ne plus ultra* of non-conformity. They determined to reject everything which came

recommended by Lord De Grey or Lord Eliot, and whether the measure was one of conciliation or coercion, whether the blow was struck high, or low, or between, it appeared equally ill favoured. If coercion, it came late ; if conciliation, it was truckling to the dismemberment faction.

Strange indeed were the political phenomena which the close of eighteen hundred and forty-one exhibited. The moment the great victory of that year over the Whig-Radical power was achieved, and scarcely was Sir Robert Peel yet invested with the insignia of office, when a howl of revengeful triumph was raised in Ireland by a most unmanageable class, the descendants and remains of the old Orange faction. Already they put forth their hands to clutch their prey, and very openly and very freely declared that Ireland should be governed upon "ascendancy principles;" that popular demonstrations must at once be met with the only weapons their forefathers condescended to use, the bayonet and the gibbet; that the system of national education should forthwith be taken from Archbishop Whately and Dr. Murray, and transferred to Lord Rathdowne and Mr. Gregg; and that the Viceroy would receive his guests at the Castle, to the martial air of the "Boyne Water." On the other extreme, there were found prophets amongst the liberal party who exclaimed—perchance the wish was father to the thought—that Ireland would soon reek with blood—that her fields would be stained with

agrarian murder — that the midnight assassin would stalk abroad—the gaols be filled—the ninety-eight system adopted—spies and informers let loose upon the country—martial law proclaimed—Catholics trampled upon, and that the patronage of the Crown would be confined exclusively to members of the protestant faith. Such were the representations of the two extreme factions. The programme of the ministerial policy was supplied by the one, and countersigned with what of authority the other could confer, and the announcement was made, that the new ministry were to open the theatre of Irish affairs with all the furniture of the vulgar melo-drama—massacre, bloodshed, and atrocity.

Not indeed that either party had from the advisers of the Crown, any grounds for calculating upon such a course of action. Quite the reverse : Sir Robert Peel made his advances to power, admitting that he felt the difficulties of the Irish administration, but demonstrating and proclaiming by every word and deed that he was determined to conquer all obstacles, come from whatsoever side they might, to the peace and prosperity of this distracted country. From the first moment he gave to the entire people of Ireland, to the friends as well as to the enemies of his administration, ample notification of what his policy would be. It seemed impossible for the greatest dulness or the greatest malignity, to misunderstand or misrepresent his intentions.

In the debate on the address on the 27th of August, 1841, Sir Robert Peel, then in opposition, but likely to remain so but for a few days, exposes the folly of connecting him with the Orange party:—

“I am told that I must necessarily be the instrument of effecting objects in Ireland, which I myself disapprove. I am asked whether I dare affront my associates and partizans. The honourable member for Meath, (Mr. Grattan) had alluded to the conduct of a public functionary in Ireland, who he said had offered an insult to the religious feelings of his fellow countrymen, by some public act of an offensive nature. I am not afraid of expressing my opinions with respect to acts like this, and I say at once, that there is no man in this house, *no Roman Catholic member*, who heard with deeper pain or deeper regret, that a gratuitous and unprovoked insult had been offered to the religious feelings of the people of Ireland. If I cannot gain power or retain it, except by encouraging and favouring such feelings, I say at once that the day on which I relinquish power, rather than defer to such feelings, will be ten times a prouder one than the day on which I obtained it. If I do accept office it shall be by no intrigue—it shall be by no unworthy concession of constitutional principle. *It shall be by no unnatural and factious combination with men—* honest I believe them to be—*entertaining extreme opinions, but from whom I dissent.*”

Again, on the 17th of September, 1841, in the very first debate on the policy of the new administration, alluding to a panegyric which Lord John Russell had passed upon the constitution of the Irish branch of the government, Sir Robert Peel, then in office, said—

“The noble lord did me justice in a frank and handsome manner, with respect to the course I have pursued, and the advice I have tendered to the crown regarding the government of Ireland. But if I have already attracted some degree of confidence on that ground, let me remind the noble

“ Lord what were the confident predictions made a short time  
 “ back, with respect to the course I must take relative to Ire-  
 “ land. Was I not told night after night, that I would not dare  
 “ to form a government for that country, that I could not form  
 “ one which would attract general confidence? Was I not told  
 “ that I must be the instrument—the *reluctant and degraded*  
 “ *instrument of men who were ready to offer coarse insults to*  
 “ *their Roman Catholic fellow-countrymen?* Was I not told  
 “ *that they would hoist the standard of ascendancy, and demand*  
 “ *from me a complete and servile acquiescence in their views?*  
 “ That, it was said, would be the inevitable consequence  
 “ of my accession to power, and yet not a month has elapsed,  
 “ and the noble lord admits that over that difficulty at least  
 “ I have triumphed, and constituted a government for Ire-  
 “ land in such a manner as gives assurance *that the uni-*  
 “ *versal people of that country shall be treated with impartiality*  
 “ *and justice. I have made no concessions for the purpose of*  
 “ *purchasing support. I intend to administer the law with firm-*  
 “ *ness, and I hope with dignity. I will not permit the adminis-*  
 “ *tration of Irish affairs to be influenced by the hope of con-*  
 “ *ciliating support in the House of Commons; but I declare*  
 “ *that the engagement into which I have entered, to administer*  
 “ *impartial justice in that country, shall, as far as depends upon*  
 “ *me, be strictly fulfilled.*

Was there any thing wanting,—any gloss or obscurity,—in this statement? If comment or explanation was necessary, it was at once found in the manly, spirited, and open avowal of Lord Eliot, on his return for East Cornwall.

• “ The Government shall pay court to no party in Ireland.  
 “ It will endeavour to do justice to all. *It will not be the*  
 “ *government of a party, but of the entire Irish people.*”

These solemn declarations made by the Prime Minister on the one hand, and by the Secretary for Ireland on the other, were a full intimation of the views of Government. If the movement party



had really patriotic designs, enough was done to induce them at least to suspend their threatened operations. If their objects were the dispensation of equal justice to the entire Irish people, the promotion of peace and harmony, the encouragement of industry and the arts, a golden opportunity was then presented, to advance the real interests and secure the ultimate happiness of their country. Had the people, the long deluded people, been then allowed to come forward and accept the boon which was proffered them, instead of calculating the gold wrung from the wretched peasantry, to gratify the ambition, or feed the extravagance, or glut the appetites, of the hungry and profligate and dishonest underlings of the Repeal Association, we would be now engaged in devising plans for the appropriation of that capital which would have flowed in thousands and hundreds of thousands into the country. The wealth of England, drawn from hazardous enterprises in the remotest quarters of the globe, would have been expended upon the proximate and congenial fields which this country,—fertile in every thing but prudence,—so bounteously presents.

“*Dis aliter visum ;*”

The genius of misrule, civil commotion, and Mr. O’Connell prevailed, and if Ireland become rich and powerful, it can only be in spite of the misdirected energies of her sons.

Vehement were the retorts made by Mr. O’Con-

nell in his inflammatory speeches, to the attacks which were not made upon his unhappy countrymen. Loud was his defiance to the Government, upon the adoption of measures which only existed in his own charnel-house imagination. Stern were his declarations of the fighting strength and quick valour of his countrymen, if assailed. Unfortunately for Mr. O'Connell's calculations, his countrymen were not assailed. No franchises were despoiled,—no priests hunted down. The Maynooth grant was not stopped. The national education system was not interfered with. Not a grievance was to be found on any side. The Minister of the Crown showed no inclination to proclaim war against the subjects of his Sovereign. There was, throughout his movements, an obstinate perseverance in the work of peace,—a marplot determination to dispense impartial justice. He kindled no flame at which the trading incendiary might light the torch of discontent; but spite of slander and calumny and provocation of all kinds,—the defection of friends,—the turbulence of foes, persisted, and still persists, in relying upon the strength of the law, and the ordinary powers which the constitution confers for the pacification of the country.

As the first earnest of his policy, Sir Robert Peel sent to Ireland, as the representative of his Sovereign, a nobleman of great landed possessions, connected by marriage with some of the most ancient families in the country,—en-

lightened in his views,—attached to no faction,—committed to no coercive or rigorous measures,—a distinguished patron of the arts, which have already felt the influence of his fostering hand. His family were remembered as strenuous supporters of the different efforts to remove Roman Catholic disabilities. Firm and impartial in his character, dignified in his bearing, he was at once the man to repress faction and keep sycophancy aloof. To Lord De Grey was joined, as Secretary for Ireland, another nobleman of the highest character and honor. Distinguished as a diplomatist abroad;—at home he was always an advocate of the rights of the Irish Roman Catholics, and in Parliament had been remarked for his disregard of party when the interests of mankind were at stake. Of winning manners and ingenuous disposition, Lord Eliot is admitted, by his bitterest opponents, to be pure as the sun in his motives. He was a happy mean between that right gallant soldier, Sir Henry Hardinge, and the amiable, well intentioned, but too easy and metaphorical Lord Morpeth. Such a man was wanting to Ireland; but whilst his character was a tower of strength against the enemies of the constitution, his arrival disappointed the hopes of a small circle of very hasty and arrogant politicians.

One of the causes of this disappointment is now too well known to admit of contradiction or concealment. It had been settled by those who had no authority to settle any thing, that a member

of the Irish Conservative party, in himself respectable enough, should be made Secretary for Ireland, and very outrageous results were expected from that appointment. Without venturing, or at all intending to impugn the character, or depreciate the abilities of that gentleman, it must be manifest to all fair men, who recollect the political school in which he had been educated, how often his name had been the watchword of intolerance, and an object of hatred to the people of Ireland, that the appointment of such a man at such a time would have been an abandonment of the policy of Sir Robert Peel,—a flat contradiction to his repeated declarations in the House of Commons, and worse than all, the signal for the commencement of a new era of religious feud and national discord. Impressed with the solemnity of the position of Ireland, the minister did not venture on such an act, and forthwith, a leading Conservative Journal sought to scare Lord Eliot from his office before he touched our shores. The same attacks were then made upon him personally, which have been since repeated against every act of his administration, great or small, legislative or executive. At the same moment commenced the opposition of both ultra sections. The shout of war was raised on all sides, and after two years of the most unceasing and vexatious opposition, the results are practically before us. All impartial men have seen into the imprudence, not to say the selfishness, of the attacks upon the Government by their un-  
~~the same party~~

*friends*, whilst prudent men of all religions are preparing to second with word and deed the policy of the Government, the best which tide or time permitted, for preserving at once the peace and the union of the kingdoms.

The most faithful mirror in which that policy can be seen, is the measures which it has dictated, and what, unworthily for the honor of this country, is in Ireland considered far more important than the advancement of measures,—the advancement of men in the public departments. For in truth, in Ireland, every thing in the nature of an appointment has become a matter of interest, inquiry, speculation, and bitter canvass. Nay, more, parties contend with as much acrimony about a clerkship of the hanaper, or the registry office, or of the crown,—as if the reform bill, or the new commercial tariff, or the abolition of tithes, or negro slavery, were shaking in the balance. During the Whig administrations there was not a family in the country round, which had not become a busy scene of unwholesome speculation. Places, places were the hope and the theme of all. There was not a department in the state, from the stipendiary magistracy to the lowest excise office, the likelihood of obtaining which was not eagerly discussed. The rage for something was every where,—in the cabin and in the castle. It is needless to say, that the Bar was in a blaze of hope. Men who, after six years, had still walked the Hall in undisturbed leisure, now looked up in the

world ; and all the volunteer lawyers, the men of registries and enquiries and commissions, did, with great energy, hold up their heads, that the wig of the assistant-barrister might fall thereon. Hope and speculation took the place of sober regulated ambition ; and now the rage of disappointment, the fury of unsatisfied longing, have swelled the waters which have risen against the Government.

This appetite for Government appointments, gratified to a most reckless extent by Lord Normanby's government, has grown with unnatural luxuriance amongst a gentry as needy as proud, given to extravagance without the means of supporting it, and disposed to prefer the uncertain favors of a government to the certain rewards which industry and perseverance return. Small politicians and small place-hunters are become synonymes in Ireland. They swarm over the country. To this unnatural competition must be traced the impolitic and indefatigable attention which all the journals pay to even the smallest donation from the Castle, and hence, the most trifling appointments are daily made serious topics of accusation against the Government.

•It is not, however, by such considerations that the policy of appointments in Ireland is to be judged. A general and more extended view should be taken. We must reflect, on the one hand, that the Government was chosen for the benefit of the entire country,—of seven millions of Roman Catholics, as well as for Mr. Gregg and

those loyal Protestant operatives who first heard political truth from his abounding tongue. The peace of the country is to be preserved. The hands of the Government are to be strengthened. It must be the desire of the men who carried the great charter of Roman Catholic freedom, practically to extinguish all religious disqualification. But it could not, on the other hand, be expected that Lord De Grey, on his accession to the Government of Ireland, would neglect the claims of men who, in opposition, fought the Conservative battle, and select for favor those only who had been remarkable in the ranks of their enemies.

"Every honorable connexion," says Mr. Burke, "will avow it is their first purpose, to pursue every just method to put the men who hold their opinions into such a condition, as may enable them to carry their common plans into execution, with all the power and authority of the state ; *without a proscription of others*, they are bound to give to their own party a preference."\* Acting upon this principle, the Conservative party, when in opposition, declined to make the appointment of Mr. Richards, Mr. Pigot, and Mr. Monahan,—all of them, especially the two latter, known to hold very ultra liberal opinions—subjects of hostile observation. And indeed, since the formation of the present Government, scarcely any one in parliament, Mr. Sheil excepted,

\* Thoughts on the Causes of the Present Discontents. Burke's Works, vol. 2, 335.

has had the courage or the want of candour, to make the appointments of Chief Justice Pennefather, Baron Lefroy, Mr. Blackburne, Mr. Keatinge, or Mr. Litton, a matter of charge against the executive. Those gentlemen, independently of their political opinions, had entitled themselves to the position they now occupy by their great practice and experience at the bar ; and no man of any party could say he was unjustly postponed when they were advanced.\* But the Government did not stop there. It would have been worse than folly to expect them to select for reward, their open, avowed, and unflinching opponents. Mr. Monahan, who had been a member of the National Association, could hardly hope to be Lord De Grey's legal adviser. Mr. Pigot had staked his fortunes with the movement party, and had been selected as the first law officer of the Repeal Corporation of Dublin. Mr. Moore had just marked the extent of his liberal opinions by deserting,—acting no doubt from conscientious motives,—the Conservative party, to which through his previous career he had been zealously attached. But the utmost that could be effected in the present state of parties, Lord De Grey performed. He proclaimed to the Roman Catholic population, that there should be no religious proscription or dis-

\* Mr. Lefroy had been three times offered the bench ; once by Lord Wellesley.



qualification, and that minor differences of political opinion should be forgotten in a steady support of the Union and the Constitution. Conducting the Government upon this plan, opening its arms thus wide for the reception of firm and moderate men of all religions, was an attempt as generous and as statesmanlike as could be conceived, to triumph over the heretofore irreconcilable jealousies of Irish politics, and strike the roots of British connexion deep and wide in the interests, feelings, and associations of the country.

Carrying out these views, appointments have been made, from amongst many of the old maintainers of Conservative opinions ; but none will be found on the list who did not add to the claims of

“ Long tried faith and friendship’s holy ties,”

the “ firm basis of desert,” forgotten by the Whig administrations. Nor is there amongst those appointed, a single one to whom any fair and reasonable man can object, as unfitted, by ultra opinions, to be the judge or the officer of a Roman Catholic people. From out the entire, no doubt the opponents of Lord De Grey’s government would fix upon Mr. Blackburn, Mr. Lefroy, or Mr. Litton ; but Mr. Blackburn had been Attorney-General under Lord Grey, and Mr. Lefroy was entitled to claim, as a right, even a much higher position than that which he now occupies,

by reason of the great sacrifices he had made,—the vast professional emoluments he had acquired and resigned,—his great reputation as a lawyer on both sides of the hall,—his high connexions in the country; and above all, his unsullied character as a man. Moreover, each and every of those gentlemen, Mr. Litton as well as Mr. Blackburn and Mr. Lefroy, have, since their accession to the judicial seat, won from all parties and all men, by their knowledge, the urbanity of their demeanor, and the strict impartiality of their conduct,—the most unqualified approbation.

Let us turn to the names of those on whom those appointments have been bestowed.

“ Sir Edward Sugden, Lord Chancellor.

Chief Justice Pennefather.

Baron Lefroy.

Mr. Justice Jackson.

Right Hon. Francis Blackburne, Master of the Rolls.

Master Litton.

Doctor Keatinge, Judge of the Prerogative Court.

T. B. C. Smith, Attorney-General.

Richard Wilson Greene, Solicitor-General.

Serjeant Warren.

Serjeant Howley,\* (a).

Henry Kemmis, Chairman of Kilmainham.

Christopher Coppinger,\* Assistant-barrister.

Mr. O'Leary,\* Registrar of Lunatic Custodees.

Mr. Hughes,\* Commissioner of Lunacy.

(a) (\*) Thus marked are Roman Catholics,

Mr. Baldwin, Q.C.*	}	Crown prosecutors on Circuit(a).
Mr. Mac Dermott,*		
Mr. Keogh,*		
Mr. Charles Burke,*		
Mr. O'Fallon,*		
Stephen Seed,	}	Clerks of the Crown.
Alexander Bate,		
Thomas Mostyn,		
Arthur Young,		
Thomas Brereton,	}	Stipendiary Magistrates.
John B. Kernan,*		
R. D. Coulson,		
E. J. Priestly,		
Pilsworth Whelan,		
Arthur Cane, Receiver of Constabulary.		
James O'Reilly, First Clerk in Receiver's Office.*		

With this list before the Protestant whose allegiance to the Conservative party is sought to be shaken, let him answer has he not sufficient to assure him that no surrender of his rights or principles is intended? After its perusal, can any thing be wanting to convince him, that the *pseudo* Conservative who assails Lord De Grey and Lord Eliot, because of the distribution of patronage, is as ignorant of fact as forgetful of party friendships. With this list before the Roman Catholics, and containing, as it does, the names of many members of their creed who showed an inclination to stand by the union of the kingdoms, they may

(a) A number of other gentlemen were also named to similar situations. The names only of those who were Roman Catholics are selected.

without any sacrifice of truth, be thus addressed by the ministers of the crown:—"True! the Government has promoted some of those who laboured through years of doubt and difficulty to give them the opportunity which alone makes place desirable,—of carrying into practical operation their common principles. True! they have done what every honorable feeling which binds party together required,—what, if even the higher feelings of honor and friendship were forgotten, the "*regni novitas*" would enforce. As a Roman Catholic, you cannot complain, for during ten years a government was in power, which scattered with an indiscriminate hand every gift of the crown amongst the Roman Catholic population. But, if you be a Roman Catholic well affected to the union of the kingdoms, in the appointments and the declarations already made, you have abundant security that so far from your religion being a ground of proscription, it is, and justly, an introduction to the favor of a government anxious to reconcile both races in this kingdom,—to remove religious inequalities,—to amalgamate Protestant England and Catholic Ireland; and above all, to divert the attention and energies of a bold and hardy people from the unattainable redress of past and irretrievable wrongs, to the attainable social advancement of the country."

Let us, next, consider some of those appointments in detail. Sir Edward Sugden was selected as Chancellor of Ireland for two reasons. One,

that he was believed to be the very first equity lawyer at the English bar ; and the importance of such a selection will be at once admitted, in a country from which the appellate jurisdiction has been removed, and where the burden and vexation of improper decisions must be proportionately increased. But there was another, and an honest motive of a personal nature. Sir Edward Sugden felt that he ought not to enjoy in idleness a large pension, whilst he was able to earn it by the discharge of judicial duties. On this point, both he and the Government of Sir Robert Pél show forth in admirable contrast to the last act of Lord Melbourne's administration. The removal of Lord Plunket in a coarse and unfeeling manner, of that light, which, even in its decline, shed a brilliant halo around his associates, for the purpose of bestowing upon Lord Campbell a peerage and a life-pension in return for a week's work, can scarcely be paralleled in the history of party corruption. But it must have been gratifying to the people of Ireland to hear Sir Robert Peel declare, that if Sir Edward Sugden had not felt bound, for the above reason, to take the seals, he would have selected the Irish Chancellor from the Irish bar.\*

Now, as to the merits of Sir Edward Sugden, except in the callous columns of dishonest journalism, there can be no dispute. His abilities as a judge may

See Debate on the Policy of Ministers, 17th September, 1841.

be disposed of by a single question fearlessly put. Where, in the whole range of "Chancellor Biography," from Lord Somers to Lord Cottenham, can one be found more skilled in all the branches of equity jurisprudence? But, as the head of the Court of Chancery, the public good he has done is not confined to his admirable decisions. For the last century and a half, the rules of the court were an inexplicable mass of confusion, generating expense, litigation, and delay. Sir Edward Sugden was the first who had the courage to order, that from a particular day all former rules should be abolished, and to combine, in a couple of hundred short and simple orders, the whole machinery of equity litigation. By this sweeping reform, he has done more for the suitors of this country, than could have been effected by twenty years of legislation. In this, if in no other manner, he has proved himself to be a substantial benefactor of the people of Ireland. Yet he is constantly an object of coarse calumny and ungenerous vituperation. He cannot be forgiven by one side, for the dismissal of magistrates who took part in repeal meetings. He should, says the other extreme, have given his opinion as a constitutional lawyer, that not only to act or speak, but even to *think* "repeal," was dangerous, unconstitutional, and seditious. But, would not any one who had maturely deliberated upon this proceeding say, that whilst, to ensure the peace of the country, and as a public example, the dismissal of those gentlemen was necessary, yet,

to make the step effectual, by carrying with it public opinion, it should not have gone one inch farther than the exigencies of the time required.

At a moment of tremendous popular excitement, it was impossible to leave in the commission, persons who had been guilty of the heedless folly of heading gatherings of enormous masses, whose numbers made at least a *prima facie* case of danger to the peace of the country. In what position would they have found themselves, if it became necessary to disperse, under their sanction, meetings which they had themselves summoned. But, apart from such reasoning, it is difficult to avoid the conclusion, that they were wholly unfitted to hold her Majesty's commission, who have since consented to act under a deputation from men avowing their object, to supersede and render unnecessary all the established legal tribunals of the land. So far, experience has proved the propriety of their dismissal. It was necessary as a precaution, and still more, as an example to the people. But Sir Edward Sugden would have indeed outstepped his office, not to speak of his good sense and knowledge of the constitution, by directly or indirectly asserting, that either to think, or speak, or act, *within the bounds of the constitution*, for the purpose of altering or amending, or even repealing the act of union, was illegal or unconstitutional.

Take next, the appointments of Judge Jackson and Sergeant Warren. The opinions of Judge Jack-

son and Sergeant Warren on the national education question have been flung in the face of the Government. Forsooth, no government is fit to hold the reins, amongst whose officers, from the highest to the lowest, there is any difference of opinion. In what state catechism is this principle to be found? Omitting all mention of political differences amongst the subordinate officers of Government, has there been a single *Cabinet* in England for the last century, in which there has been an unanimity of opinion upon all questions? For twenty years, the Catholic claims were an open question. Under the Whigs, the ballot was an open question. Mr. Shiel, an avowed repealer, held high office\* under Lord Melbourne's administration. Instance upon instance might be mentioned, of partial differences of opinion between members of government holding much higher appointments than either that of Sergeant-at-Law or Solicitor-General for Ireland. In fact, the more we examine into the appointments of the Irish Government, the more it will be manifest that they have been made in a perfect spirit of justice and fair play, and without in the smallest respect departing from the policy and the principles proclaimed by Lord De Grey and Lord Eliot on their accession to power.

Having so far dwelt upon the appointments, the

\* Vice-President of the Board of Trade.



general policy of Lord De Grey's Government may be quickly and easily described. It is fenced around by none of the terrors or ascendancy of faction. It appeals to no prejudices for support ; nor is it disguised in any of the mysterious refinements of office. No inflated functionary at the Castle can now call himself the depository of the state secret. Intelligible and common place, neither attempting to dazzle, to awe, or to delude, it presents nothing to gratify that pruriency for legislative change or executive wonders which is the curse of the times we live in. The policy of the Government is expressed by 'one word—peace, peace in the face of the factions which would dismember the empire,—in spite of the party which would precipitate a civil war, and lose a people, even though a dependency was secured. ' It is peace, without which all attempts at improvement are in vain—enquiries without result,—capital without return. If all the intellects of all the statesmen who have ever turned their attention to the condition of Ireland, were combined in one effort to devise a plan for her improvement, she would, unless peace were restored over the face of the country, baffle their united wisdom. To effect this great object, is the true statesmanlike Conservative policy. To this end, all the efforts of the Government have been incessantly directed, and not without effect.

By what measures and under what circumstances has this peace been preserved? The years 1842

and 1843 were years emphatically of *monster agitation*; and during almost the entire of that period, every vocabulary of disparagement and misrepresentation were exhausted upon the policy of Lord De Grey's Government. "Have we a government at all?" was the question oft repeated by those who still called themselves supporters of Sir Robert Peel. "When is this insane inaction to end? How far will "Repeal" be allowed to go? Already it is beyond the reach of the Government! The compact between the loyal Protestants and the administration is broken! No protection,—no allegiance!" Such were the clamours day by day raised against the Government by men who spoke, they would have us believe, more in sorrow than in anger; but yet, with the most monstrous injustice, took care to forget that the Government was not accountable for the wretched state of agitation and disorganization in which Ireland was found after ten years of Whig rule; and moreover, never reflected that they were themselves feeding the flame of agitation by their attacks upon the Government. There was nothing new or unforeseen in the state of the country to warrant such charges. The same outcry, excitement, and agitation, which for thirty years previously, had paralyzed the efforts of every well wisher of Ireland, was brought into play to thwart Lord De Grey's Government. But was it possible by any measures to anticipate and prevent this movement? The answer is obvious. It was impossible.

As long as Ireland continues in her social state, the victim of miseries which are not paralleled in any country,—miseries “for which neither the Government of this day nor the Government they supplanted are accountable ; a demagogue of massive intellectual power, great zeal, little or rather loose principle, indomitable energy, unparalleled popular eloquence, and intimately versed in all the avenues to the Irish heart, will find little difficulty at any time in raising an agitation. It matters not what the subject of agitation may be, whether for fiscal, or religious, or legislative independence. The materials are in the acknowledged social miseries of the people ; and an uneducated mass cares not under what banner it marches, if the vista is closed with the promise of plenty, comfort, and ease. Hence it has happened that Mr. O’Connell has with impunity for the last thirteen years played the masses of Ireland at a variety of games, creating and dissolving during that period more than ten associations, beginning with the “Parliamentary Intelligence Society of 1830,” and terminating with the “Loyal National Repeal Association of 1840.” But great as has been the force which many causes contributed to confer upon this last Association, its progress and its numbers were materially increased, by the abrupt, sudden, and absurd declaration of a distinguished and opulent Irish Conservative journal,—“that many leading men of the Conservative party were considering how the Repeal might be effected

with perfect security to their interests," thus admitting the practicability of the attempt, and seconding the admission by incessant and unmeasured attacks upon the Irish executive.

Meanwhile, what course did the Government pursue? Mr. O'Connell was allowed to complete his organization. He was permitted to call together the masses of the people in thousands and tens of thousands, until his aggregate meetings were as common-place as his weekly gatherings at the "Conciliation Hall." In every part of the country, north, south, east, and west, *monster meetings* were convened. There was not a peasant far or near, young or old, who did not see the face and hear the voice of his deliverer. Wild and stern were the defiance hurled against the Government at those meetings. "To do or die," was in every mouth; and Mr. O'Connell pledged his reputation as a leader, his character as a Constitutional lawyer, and his head as a man, that the Union should be repealed before the year was over. No doubt, such boasts and promises worked a powerful effect upon the peasantry. They placed the most solemn reliance upon the no less solemn pledges of their chief, and confidently awaited their fulfilment. It would be difficult, if not impossible, since perhaps the grand impostor of Mecca, to point out any man in history, who has had so numerous, so faithful, so credulous a following as Mr. O'Connell. The Irish people believed in him as if he were the prophet of God, and the highest effort of their faith was

concentrated on his solemn adjuration, that Repeal should be carried ere the year was over. That year is past. The wonders of Mullaghmast, Tara, Lismore, are over, and almost forgotten. The Meath infantry, who surpassed the "Imperial Guards" in discipline, and the Clifden Light Horse, whom the household cavalry of England *would in vain pursue*,\* are gone into winter quarters. A single proclamation at the right moment, and when excitement could go no farther,—when there was no possibility, by any shuffling or chicanery whatsoever, for Mr. O'Connell to wriggle out of his declarations,—was sufficient to display the resolve of the Government, and to shake the fabric of agitation to its base. By reserving that blow until the crisis had arrived, a terrible but useful lesson has been taught to the people. They have discovered that thousands have been wrung from their poverty, to support a staff of the most corrupt, debased, and dastardly minions that ever congregated around a popular leader. Hundreds of the wretched dupes, who were taught,—under the specious pretext of "fixity of tenure,"—that rents would never again be enforced, are now eating in sorrow the bitter fruit of their delusion. The spell of forty years duration is broken. The weak, the credulous, and the timid, who confided

\* Mr. Dillon Browne, (Member for Mayo) about whose patriotism there is a racy jocularly, thus sily complimented the "mounted Repealers" of the west.

in Mr. O'Connell's moderation, have seen the abyss into which he had all but carried them. The bold and adventurous, who believed that his threats, defiance, and protestations had a meaning, turn from him with scorn. Speak to the Irish peasant in any quarter, and he is bitterly disappointed.\* Such has been the first result of the ministerial policy.

But the delusion, and its exposure, have not been confined to the uneducated masses. Some dozens of enthusiastic generous young men, of quick capacities and showy education, have for a few years back been gathering together in the city of Dublin. Many of them in 1834, eagerly flocked to the standard of Repeal and O'Connell, and subsequently were cast aside for the more substantial alliance of Litchfield House. Taught by experience, they held aloof from the present movement, until the solemn protestations of 1842, "to perish or prevail—to do or die," won their tardy adhesion. Above the seductions of pecuniary plunder, which their ambition scorned, and their education taught them to loathe, it became necessary to invent for them some novelty of more than ordinary attraction. At once the happy idea of a convention of three hundred gentlemen, privileged to pay One Hundred Pounds each, and meeting in defiance of the law, occurred to Mr. O'Connell. This Convention

\* The Repeal rent has fallen since the proclamation putting down the Clontarf meeting, from two thousand to two hundred pounds a week. —

he solemnly pledged himself should sit before December. Immediately both extremes were violently agitated. The alarmists exclaimed that all was lost, that the Government was demented. *Young Ireland* was in an ecstasy of delight. History was scanned for parallel conventions, and every thing was ready. What course did the Government pursue? They wisely declined to be hurried from their position, or to take one step in advance of the necessity of the times. The Convention did not assemble, and *Young Ireland* is champing the bit of disappointment and distrust.

What next? The legal tribunals of the country were to be superseded. Mr. O'Connell pledged himself that since the people were not to have Repeal magistrates, they should not want Repeal judges. Arbitration Courts were established, and the populace, whose sinking faith clung to any straw, believed that by this move at least Lord De Grey and his Government would be check-mated. Here again the alarmists interposed, and called upon the Government to put down the Arbitration Courts by force. For forty years, the great secret of Mr. O'Connell's influence over the peasantry, has been a belief in his infallibility. The character of the Irish peasant may be summed up in three words—boldness, quickness, cunning. He delights in a successful scheme, and was confident that Mr. O'Connell was the prince of jugglers. Above all things, it is important to break this influence, for it is the mainspring of Mr. O'Connell's power. But

the exertion of force on petty occasions could serve only to increase the attachment of the people. In the instance of the Arbitration Courts, the Government prudently declined to interfere, and what has been the consequence? The peasantry, who are not without a quick perception of the ridiculous, have laughed the arbitration judges out of court, and added this one to the other disappointments for which Mr. O'Connell is accountable.

But let it not be thought or asserted, that in these results, which have been so happily accomplished, the Government is indebted more to chance than policy. On the contrary, every measure for preserving the tranquillity of the country was most maturely taken. Providing for the worst evil which could by any possibility afflict us, civil war, a gallant army was cantoned in all parts of the country, to awe the disaffected and restore confidence to the friends of British connexion. In Parliament an arms bill was passed "to disarm,—in the words of Mr. Grattan,—by the law, a banditti who had disarmed the gentry by force." At home the magistracy was purged. Every part of the country was placed in a state of defence, and a determined front presented on all sides to the enemies of the constitution. Finally, when the daring of Mr. O'Connell appeared to know no bounds,—when he told his followers that the Government feared to assail him,—when his language and his acts assumed the tone and the character, not of agitation, but revolution,—when



his paid proconsuls issued orders directing the people to practice a military organization,—when his addresses assumed the form of royal proclamations, and he vaunted that his great legal acquirements guaranteed impunity to all his words and actions, then the executive resolved to move, then they struck the blow, not against the underlings, but the loftiest amongst the tribe of agitators. They called Mr. O'Connell himself, to appear before the judges of the land and a jury of his countrymen, either to prove his innocence, or receive their verdict of guilt and condemnation.

Upon the questions to be decided at that trial, it would be in the last degree objectionable at this moment to comment. But, it may be observed, and will be admitted by every one who reflects more upon the events of the last two months than the excitement of the present hour, that Lord De Grey's Government is now perfectly independent of the result of the prosecutions. Whatever verdict a jury, composed of as high and honorable men as are to be met in the kingdom, shall upon their oaths and upon the evidence find, the policy and the position of the Irish administration cannot be affected or impaired. That policy has already accomplished its objects. It has dispersed the agitation which from end to end was convulsing the country,—falsified the predictions of the great Apostle of moral agitation,—broken the spell of his influence,—awakened the people from the delusion in which they were wrapped,—tested

the power of "moral agitation," heretofore believed invincible, because never met by the charge step,—compelled the leaders of the agitation to admit, in the face of Europe, the futility, the weakness, the dishonesty of their threats and denunciations, and proved to the outraged, deluded, and plundered peasantry, that their invincible and mighty leaders are as amenable to the law and the judges of the Queen's Courts, as the humblest transgressor in the country.

Moral agitation has been heretofore a great power and a great name. It has awed many governments by working upon their fears. But moral agitation can only vanquish a government armed with the law and the establishment, by a "make-believe" that it is supported by a greater physical power than the Government can wield against it, and that if driven to extremities it will use that power. It conquers, if at all, as a line of British infantry, by boldness and audacity, 'ere the bayonets have an opportunity of being crossed. But woe be to the believers in moral agitation, when the Government is ready to try its strength, and finds it, as Lord De Grey's government has found the repeal agitation of 1843, unsupported by physical courage or power.

Such being the appointments, the policy, and the position of the Irish Government, it remained for this administration to combine justice with vigour, and to commence, at the moment when a seditious agitation was stopped in its career, a

searching and extensive investigation into the social miseries of the people. Convinced that all legislation for Ireland must be positively mischievous, until the causes of her misery are pursued from the mansion of the landlord to the hut of the peasant,—from the people to the priest,—from the poor-house to the prison, Sir Robert Peel has adopted the wise and beneficent course of appointing a Commission, selected from both parties, Whig as well as Tory, Catholic as well as Protestant, to scrutinise the condition of the entire Irish peasantry, and suggest the necessary remedies. In performing this duty, the Commission, over which Lord Devon presides, finds its progress impeded by men who seem to dread the amelioration of the condition of the people, as calculated to destroy all pretexts for agitation. ‘Scarcely’ has this Commission commenced its sittings, when the most unfounded, but yet pointless insinuations, are scattered abroad, to divert the attention of the people from the consideration of their real grievances. They are daily solicited not to place confidence in the Commission, although seats at its board were offered to more than one adherent of the late administration,\* and notwithstanding that persons of all parties and conditions are encouraged, even solicited, by the Commissioners, to assist the enquiry with all the information in their power. Some, too, there are, so crotchety as to despair

\* Mr. More O’Ferrall and Mr. Wyse.

of any good results flowing from the enquiry, because, forsooth, it ought to have been, and was not earlier instituted ; as if the agitation, which has been encouraged by the very men who raise those objections, had not rendered all enquiry heretofore impossible, by diverting the attention of Parliament and the Government from the consideration of social grievances, to meet dangers which threatened the existence of the empire.

Now, however, the question of landlord and tenant is most eagerly mooted through the country, and the plan is sought, which, without invading the rights of property,—as despite Mr. O'Connell's protestations, his “fixity of tenure” most distinctly contemplates,—may give to the tenant that certainty, if not of tenure, at least of a return for the labour and the capital he has expended upon the soil, indispensable to an improved system of agriculture, and restore that confidence between the landlord and the tenant, without which neither the one can be secure, nor the other peaceful, prosperous, or happy. What are the obstacles to this undertaking ?

Heretofore the peasantry of Ireland has not been the only impoverished class. Unfortunately for them, the landlord has been too often coerced by his necessities, to make the occupiers of his estates feel the first weight of his misfortunes. The extravagance of past days, and the incumbrances which consequently accumulated, have been

a fruitful cause of the misery of the Irish agriculturist. To pay the interest on a mortgage, and yet retain some surplus in his hands, the landlord is compelled to make the possession of his land the object of unnatural competition. Again, when, overwhelmed by debts, the estate passes from the hands of the proprietor into the custody of a Chancery receiver, all hope of an equitable adjustment is lost to the tenant.

It is notorious that the landed property of Ireland, to an amount perfectly incredible to the English public, is in the hands of the Court of Chancery. The western counties especially, are to a great extent withdrawn from the control and natural protection of the proprietor. What has been the consequence of this system? It was found by experience, that very enormous depredations were committed by Chancery receivers. Their accounts were not passed for a series of years, and very often they were appointed by consent, and without any security whatsoever. Thus it frequently happened, that at the end of a Chancery suit, a great portion of the receipts of the property, during its progress, was lost, and the creditor discovered that the little which was left would not satisfy half his demand. It became, therefore, necessary to watch the system of receivership with considerable attention, to require solvent securities in all cases, to compel an annual account, and make the receiver liable for all rent which he had not endeavoured to enforce by

*distress or attachment.* The results may be easily imagined. The receiver, to save himself, has in all cases to distrain and sell the crop of the tenant. Let the year be ever so bad, he can neither afford delay or indulgence. His apprehensions as well as his interest urge him to coerce the tenant. In vain does the latter point to the allowances and relief afforded upon the adjoining estate, in consideration of a disastrous harvest. The receiver of the Court of Chancery can neither make an allowance nor afford relief. The crop must go to an untimely sale, and the wretched tenant, in order to obtain the smallest abatement, is left to the doubtful issue of an expensive Chancery application, to which his means are altogether inadequate. To find a remedy for grievances of this and the like nature, which affect a very extensive portion of the agricultural population of Ireland, is worthy the attention of Lord Devon and his brother Commissioners, and may attract the scrutinizing examination of Sir Edward Sugden, who has already swept away so many abuses in the practice of the court over which he presides with such advantage to the public.

• But, in one way or another the grievance of rack-renting, total insecurity, and no community of feeling, must be alleviated or removed. Protection must be afforded to the labour and the enterprise of the tenant, as well as to the person and property of the landlord. Without such protection, what can be expected from the tenant, who sees as the

only result to him of the improvement of his farm, a corresponding accumulation of his rent, or a barbarous ejection from that holding to which his toil and his capital has given a value? What benefit can the landlord hope to derive from letting his land at a rent which he knows it is impossible to realize: a rent of necessity accumulating in arrears, and held over his tenant, if for any purpose, to seize upon the few surplus sheaves which a bountiful Providence at intervals may bestow upon him, to diversify the wretchedness of his lot? Change the system. Ensure to the tenant the fruits of his toil, and a fair return for his expenditure, by making at least provision for compensation, in the event of his tenure being disturbed, and the agitator will in vain invite him from the implements of husbandry, in which he sees a promise of reward, either to swell the coffers of avarice, or follow the car of profligate ambition.

Can any friend of Ireland hesitate to acknowledge the importance of these considerations? Is there any man so besotted to party, as not to admit, that the present Government by attacking this subject, the root of every misfortune in Ireland, has placed itself a century in advance of the ephemeral patriots now so clamorous, but satisfied three years ago with the allurements of a gew-gaw viceroy, and made as quiet "as they were sucking doves," by the judicious disposition of a few paltry appointments. Who can now refrain from laughter, and hear Mr. Pigot or Mr. Moore calling "all the gods" to wit-

ness, that nothing can pacify Ireland but the return of Lord Normanby? If, after so long a possession of power, the Irish Whigs—an anomalous race—were able to bequeath nothing to their successors but the agitation for Repeal, we may well doubt the efficacy of their panacea. How can the Whigs assail, with any justice, the tardiness of the present Minister, if tardy he has been, which is by no means admitted, when they reflect, that they themselves allowed ten years of power to pass, without one single effort being made even to approach the landlord and tenant question? No doubt the most liberal system of prison discipline was adopted, most merchantable corporations were established, a poor law passed, and other great and philosophical designs—extending even beyond the elevation of Mr. This and Mr. That to the bench—were contemplated, although not given to the public;\* but yet Mr. O'Connell declares that justice for Ireland was as difficult to be had, and as distant under the Whig, as he would represent it to be under the present, Administration. The present Government at once avowed its intention to bring all the wisdom of the legislature to bear upon the improvement of the Irish peasantry. They have already entered, with every appearance of good faith and sincerity, upon the investigation; and it cannot be that the people are so lost to

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\* The *Edinburgh Review* for the present month contains at least seventy pages of philosophical speculations upon Ireland—new speculations, perfectly new, for the use of Whigs out of office.



reason, so blind to their own interests, as to thwart or baffle those measures of practical relief concerting for their benefit.

Let not any one think that the system of agitation is too deep rooted in the habits of the people, to admit of cure, or that even if Mr. O'Connell was withdrawn from the busy scene in which he has moved, the "Repeal," or any other political delusion, would be continued by the Roman Catholic priesthood. It is a gross blunder to believe that the majority of that body are from choice committed to agitation. Many of them holding very moderate opinions, have been pushed forward by their more violent brethren ; but most of them have been coerced into the movement, in the hope of obtaining the redress of the real grievances of the peasantry. Here, too, is seen another fatal consequence of the social miseries of Ireland. The peasant appeals with confidence to the priest against the hard fate of his condition. The priest dares not to refuse his sympathy to the undoubted sufferings of the peasant. But it should not be thought that those miseries once alleviated, the Catholic clergy would desire to commit the Catholic religion to the protection of the wild and lawless democracy, which the separation of these kingdoms would inevitably call to power. There are amongst the Catholic priesthood of Ireland many yet surviving, who witnessed the horrors of the triumph of democracy in France, when "*les eveques a la lanterne*" became as popular a cry as the "*ça ira*"

was a song of the revolutionary party.\* No ! The Catholic Priest is not the natural ally of disorder. In every other country in Europe he is attached by interest and inclination to the cause of Government. In Ireland alone, a struggle of forty years duration for religious liberty, and since that liberty was achieved, the hope of doing something for his impoverished flock, have held him in the ranks of agitation. For a time, they consider it their duty, and find it their interest to be ranged on the side of their misguided disciples, but these causes can only operate during a season of all but revolutionary turmoil. Political power is a possession natural to man's desire ; but the feeling of security and personal independence acts with more cogent and immediate effect. And are there not symptoms, in the fever under which Ireland has been suffering, which might make this security and independence of more importance to the Roman Catholic clergy, than even the sacrifice of their political power ?

Two years are not past since, throughout the western counties of Ireland, large masses of men were seen to parade the country in the open day, apparently under no leaders, but moved as by a common impulse, to meet and associate against the amount of dues payable to their clergy ; in fact, to establish a new *tariff*. Some very stormy

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\* Those horrors have been often described to the writer by a valued friend, a clergyman in the west of Ireland, who was only released from the apprehension of death by the fall of Robespierre.

debates occurred in this manner, between the priests and the people, and nothing appeared to remain for the former, except to divert the current into a wider channel. The agitation for the "Repeal" was at once adopted in those counties, where it had not been previously known. It was preached from every altar, advanced at every meeting, and for a time the clergy tariff, with all minor agitations, were forgotten in the struggle for the separation of these kingdoms.

Without insinuating, nay, even altogether disclaiming all charge against the Catholic Clergy on the subject of their dues, it may be presumed that a state of dependence, such as this petty warfare indicated, cannot be desirable to any body of educated men. But if we enter into the details of the present *voluntary system*, as it is called by a certain sort of Roman Catholics, we shall find abundant grounds for believing, that if it shall be thought advisable to create a state provision for the Roman Catholic Clergy, the measure, however openly opposed, would be acceptable to the Clergy themselves, and received with gratification as well by the masses of the people as by the educated Roman Catholics. For how is the revenue of the Catholic Priest raised? By confession dues, by marriage dues, baptism dues, mass dues, anointing dues, legacy dues,\* Easter dues, Christmas dues, chapel dues, burial dues. In addition to these, the friar has his *quest*, the curate has his *quest*. That

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\* Sums paid by the relatives of any person dying out of his native parish.

is to say, when the money payments are exhausted, the friar, who has no regular subsistence, and the curate, who has very little,—frequently not more than twenty pounds a year,—go round the rural districts, collecting oats and other contributions in kind, for their support. How is it possible to suppose that any educated man, or any man fit to be entrusted with the education or control of the people, could submit to such degradation as this latter occupation requires? Does not Mr. O'Connell at once admit that he is applying himself to the prejudices of men, not raised above the lowest of their flocks, when he ventures on asking their assent to the continuance of such a system? But the dues which are raised in money payments do not confer one jot more independence. They are far from being voluntary contributions. They are received after many a hard bargain and remonstrance, many a disgraceful struggle and scandalous altercation.\* They are collected in crowns, half-crowns, shillings, even halfpence, in the chapels, at the sick bed, on the high roads, anywhere. They are necessarily so collected, for though the peasant is the poorest in the civilized world, yet the priest cannot starve. He gets this miserable subsistence, which would not be paid a single day if he did

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At the Mayo Spring Assizes, 1843, two young men, the brothers of a Roman Catholic Priest, were tried for murder, found guilty of manslaughter, and sentenced to seven years' transportation. The quarrel was caused by the unfortunate deceased having refused to pay the full amount of dues to the brother of the prisoners.

not participate in all the prejudices of the people, and as a necessary consequence, the Catholic Priesthood,—if we exempt the bishops, and a few men of philosophical and literary attainments,\*—are at this day a harsh, coarse, passionate, despotic, uneducated body of men. No gentleman of property or station in the country ever thinks of sending a son to Maynooth, and the few of that rank who enter the Church, attach themselves either to the Irish College at Rome, or some of the Jesuit establishments. The only remedy for this evil is a state provision for the Clergy, and we shall find that the proposition is by no means new in Ireland. It formed a part of Mr. Pitt's plan for the emancipation of the Roman Catholics, and then met the assent not only of the Catholic Bishops, but the Pope himself. In 1825, the House of Commons resolved, "That it is expedient that a provision should be made by law, towards the maintenance of the Roman Catholic Clergy in Ireland." In that same year, Mr. O'Connell, before a committee of the house, stated—

"I think a wise government would preserve the fidelity and attachment of the Catholic Clergy, by what I call the *golden link*, by *pecuniary provision*, so that the Government should be as secure, in all its movements, towards foreign powers, of the Catholic Clergy, as they now are of the Protestant Clergy; that they should be, in short, a portion of the subjects of the Government, and the state identified with them. *Our wish would be*, that the Govern-

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\* Mr. O'Malley, Mr. Miley, Mr. M'Gawley, Mr. Mahony (Father Prout) have distinguished themselves in science and literature.

“ment should have proper influence over them, *which a certain pecuniary connexion would give.* My opinion is, that coupled with, or *following* emancipation, it would be acceptable, but not preceding it; and my humble opinion is, that it would be a most desirable thing to have that species of settlement take place *after* emancipation. The consequence would be, that the Catholic Clergy would become, *in the nature of officers belonging to the Crown*, forwarding the views of Government in every case where there was not something that revolted in general, such as harsh or unconstitutional illegal measures; but that the general tenor of their conduct would be decidedly in support of the Government, and perhaps even in instances that theoretic friends of the constitution would not wish for.”

Such were the words of Mr. O'Connell in 1825. Now he finds it his interest, and consequently considers it his duty, to declare that the Catholic Clergy do not, *never did*, and never will entertain the idea of a state provision, notwithstanding one other declaration of his in that year :—

“I have spoken upon the subject with the Gentlemen of the Roman Catholic Church of Ireland: without pledging myself, for all of them, I understand that their sentiments coincide entirely with those which I have had the honor to express. The late Catholic bishop of Kerry was a cousin-german of mine,—a man of very clear and distinct intellect. He was anxious for that arrangement, and, I am sure, anxious for it from the purest motives.”

All this is now forgotten; but if at those different periods the measure was received with favor, it is not credible that the boon which would take the hands of the priest out of the pockets of the people, could be now pertinaciously rejected. It is an absurdity to think that any body of rational men would prefer an eleemosynary support, wrung

from wretched peasants' in pence and halfpence, to a fixed stipend paid by the country, conferring personal independence without trenching upon religious freedom. But, if the clergy should resist this measure, the pressure of an impoverished people would force them to accept it, and we should soon see in the priesthood a class of liberal, enlightened, and educated Roman Catholics, the sons of the gentry who have been heretofore excluded, by the terror of personal degradation and dependence inseparable from the present most involuntary "voluntary system."

"There is," says Gustave De Beaumont, a distinguished French writer, "doubtless, an excess in the popular power of the Catholic priesthood in Ireland, which seems to require that it should be moderated. A salary given by the state to all members of this priesthood would have such a moderating influence. This salary being proportioned to that given to the Anglican and Presbyterian ministers, would attest the political equality of creeds. The Irish clergy, attached to the Irish people by the sympathy of a common creed, would not at the same time be emancipated from all connexion with public authority. Receiving a fixed income from the state, the priests would ask nothing from the poor and miserable people. It would be less popular but more independent; less free, perhaps, in its relations to power, but less fettered by the passions of party. *What could be the obstacles to this measure?*"\*

Obstacles there will be to this or any other measure which a firm government may undertake for the amelioration of Ireland. Obstacles, or

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\* "Ireland, social, political, and religious," by Gustave De Beaumont, vol. 2, p. 262.

rather outcry may be raised by those gentlemen, who think the present Government has forfeited all principle, in not proposing the repeal of the Emancipation Act, or the re-enactment of the penal code. Again, they whose power, and wealth, and gratified ambition depend upon the discontent of the country, will oppose any measure, which by giving the Roman Catholic priesthood an interest in the preservation of order and the Union, would render Ireland prosperous and contented. But all right thinking Protestants in these kingdoms have outlived the dread of such a provision. They have lived to smile at the terrors of Popery, which startled them at the commencement of this century, and made the Emancipation Act appear a tremendous experiment, and every respectable educated Roman Catholic, no less than the independent Protestant, desires to see the ministers of the Roman Catholic religion emancipated from their present state of abject dependence upon the lowest classes of the people.

Whether this object is to be accomplished by an agreement with the Catholic clergy, which at the present moment, except through the intervention of Rome, would be almost impossible, or by simply making a statutable provision, vesting the money in a board appointed by parliament for its distribution, and informing all officiating clergymen, that their drafts would be honored annually to a certain amount—a plan which, however simple,



could not fail of success\*—amongst the Roman Catholic gentry will be found not the least determined supporters of the measure. They have long felt the necessity of raising, by every means in their power, the dignity and intellectual character of their clergy. They see daily their religion prostituted, and made subservient to every political design. They feel that they are more or less degraded, by the uncouth, unformed, and unpresentable character of their spiritual advisers. They behold the ministers of a creed which they revere, emerging from a six or seven years' retreat in the obscure village of Maynooth;† expert it may be, though even for this we have but few examples, in all the *carte* and *tierce* of controversial discussion, perhaps deeply read in the Councils of the church, but utterly unacquainted with the learning and letters which tend to liberalize the mind, and become the more necessary in proportion as the business of life is conversant with the more abstruse and ascetic inquiries. Such contemplations must be indeed repulsive to any member of the Roman Catholic persuasion, who has learned the history of his church, not in the struggle “never ending, still beginning” of this fanaticism, half political, half religious, peculiar to our times and country; but in

\* Who has not seen the bold child refuse the cake which is pressed upon him? Leave it in his way, and when unnoticed, he devours it.

† The College should never have been fixed at Maynooth. The publicity and society of Dublin would have refined the character of the Institution.

the records of those days, when kings and nations found in the church the greatest statesmen of their age,—when the highest triumphs of the arts were accomplished under the protection of the Roman Catholic Hierarchy,—when their pulpits rung with the eloquence of a Bossuet, a Massillon, and a hundred others, and later still, and nearer home, when the power, the genius, the piety and pure patriotism of a Doyle\* were exerted to restore content, the sure forerunner of prosperity to his unhappy country.

• If these subjects,—rapidly, it may be feebly, but at least honestly sketched,—shall receive, whenever the government is prepared to bring them forward with the authority of the state, a fair consideration from the people, the condition of Ireland will be speedily improved, and her unbounted resources rapidly developed. But to enable the government to give their attention effectually to such designs, they are entitled to require from their followers much magnanimity and public spirit, a real subordination of interest to duty, and a candid and regulated consideration of their entire policy. In vain will the most powerful government attempt to bestow lasting benefits upon this country, whilst their best intentions are wilfully misrepresented, or recklessly assailed. Parties in the state, and especially that section which boasts,—with

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\* “See the “Pastoral to Ribbonmen”—“Letter on the Union of the Churches.” Doctor Doyle never joined the agitation for the Repeal of the Union, although he lived to June, 1834.

what truth we need not enquire,—that it contributed to elevate to power the present administration, must make without hesitation any sacrifice, to ensure the discomfiture of the common enemy, and consolidate the Union of the kingdoms. When feelings and sentiments such as these take the place, of the selfish and unruly passions heretofore too prevalent ; when Catholics as well as Protestants of moderate opinions, encouraged by the determination of the Government to dispense equal justice to all, shall unite for the public good ; when disciplined ambition shall supersede that craving for place, which pervades and poisons the entire frame of Irish society, then will the hands of the Government be free to act upon the miseries which demoralize and distract the country.

To achieve a victory over the disorders of Ireland is a work certain to win lasting fame for an enlightened minister. It is a task worthy the distinguished nobleman at the head of the Irish Government. Already both he and his advisers have exhibited a spirit of moderation combined with firmness, which has dismayed and disorganized the enemies of an united empire. At the same moment, the Government of Lord De Grey has manifested a firm resolve to rescue the country from its own wild passions, and created a tribunal before which the deluded people can bring in detail their real grievances, with a perfect certainty of redress. On the one side, the laws are vindicated ; on the other, the Minister and the Legislature are prepared at the earliest moment,

to remove all just grounds of complaint. Happy will Ireland be, if permitted to second the efforts of those who are thus planning her improvement. Then indeed might the present generation live to see her become what Scotland is ; Scotland, pauperised, wretched, bankrupt, before her Act of Union, but now converted, by the enterprise and capital of England, into a rich and flourishing kingdom ; her mountains cultivated, her manufactures created, her commerce increased fifty-fold, and the noise of the shuttle and the loom heard where once resounded only the clash of the claymore, or the wild cry of Celtic independence.

——— Sic fortis Etruria crevit ;  
 Scilicet ac rerum facta est pulcherrima Roma.